



(Ireland.)

A

B I L L

To consolidate and amend the Laws for the Regulation of
Grand Jury Presentments in the County of Dublin.

[Note.—The Words and Clause printed in *Italics* are proposed to
be inserted in the Committee.]

WH^{EREAS} an Act was passed in the sixth and seventh years
of King WILLIAM the Fourth, intituled, "An Act to con-
solidate and amend the Laws relating to the Presentment of Public
Money by Grand Juries in Ireland," whereby provision was made for
the above purpose in all parts of Ireland, except in the County and
City of Dublin, and it is expedient to assimilate the law in the County
of Dublin, as far as may be practicable, to that in other parts of
Ireland; *BE it therefore Enacted*, by The QUEEN's most Excellent
MAJESTY, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled,
and by the Authority of the same, THAT from and after the

the following Acts and parts of Acts shall be and are
hereby repealed, save and except so far as they or any of them repeal
any other Act, and also save and except as to matters and things hereto-
fore done under the said Acts or any of them; (that is to say) an Act
passed in the Parliament of Ireland in the twenty-sixth year of the reign
of his late Majesty King GEORGE the Third, intituled, "An Act for
making, widening and repairing Public Roads in the County of Dub-
lin, and for repealing Parts of several Acts formerly made for that
Purpose," except such parts thereof as authorize the Grand Jury to
accept from, and the late Sir Nicholas Lawless to make a conveyance
of so much of Gallows Hill as might be deemed sufficient for erect-
ing a County Gaol, and provide that the person or persons to whom

Preamble:
6 & 7 Will. 4.
c. 116.

1.
26 Geo. 3,
c. 24, repealed,
except
repealing
Clauses, and
except 1, 8,
9 Sections;
also 48 Geo. 3,
c. 20; also
26 Geo. 3,
Rathdown
Act, and
21 Geo. 3,
Uppermost
and New-
castle Ac

such conveyance should be made should in nowise be reputed to derive or claim as a Freeholder or Freeholders, and as empower the Grand Jury to levy and pay to the said Sir Nicholas Lawless, his heirs and assigns, the annual rent therein mentioned; also an Act passed in the forty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to alter and amend the aforesaid Act made in the twenty-sixth year of his said Majesty's Reign;" also an Act passed in the fiftieth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to amend so much of an Act made in the Parliament of Ireland in the twenty-sixth year of King GEORGE the Third, for making and repairing Public Roads in the County of Dublin, as relates to the Roads within the Barony of Rathdown;" and also an Act passed in the fifty-first year of the reign of King GEORGE the Third, intituled, "An Act to amend an Act made in the Parliament of Ireland in the twenty-sixth year of King GEORGE the Third, for making and repairing Public Roads in the County of Dublin," with respect to those Roads within those parts of the Baronies of Uppercross and Newcastle which are situate on the south-east side of the great Turnpike-road leading from Dublin to Cork by Rathcoole and Naas.

2.
No Presentment for raising Money except at Easter and Michaelmas Terms; Grand Jurors shall be impannelled on First Day of Term, and Presentments stated on Grand Jury Oath.

And be it Enacted, That it shall not be lawful for any Grand Jury of the county of Dublin to present, or for the Judges or Justices of any Court to allow any presentments for the raising or levying any money off the county of Dublin at large, or off any barony within the said county, except at Easter and Michaelmas terms in every year; and on the first day of every such term the Clerk of the Crown in open court shall administer to each of the Grand Jurors to be impannelled the Oath following; (that is to say)

"YOU shall diligently inquire on behalf of the county of Dublin, and true presentment make of all such matters and things as shall be lawfully given to you in charge, or as shall come before you in anywise relating to the raising of any money upon the said county of Dublin, or upon any barony, half-barony, district or parish therein, or relating to the expenditure of any such money: You shall not present nor allow, nor disallow any matter or thing through hatred, malice or ill-will, nor through fear, favour, affection nor reward. So help you GOD."

3.
Grand Jury shall transact business in open Court, in such place, or Judges of Queen's Bench shall appear; shall be called over.

And be it Enacted, That the Grand Jury of the said county of Dublin so impannelled at each presenting term shall be and be deemed to be the Grand Jury of the said county for all the purposes of this Act, and shall transact the fiscal business of the said county in open court, and in such place or room, and within such times, during term, as the Judges of the Court of Queen's Bench from time to time shall appoint, not exceeding

Days from the first day of each presenting term; and that the Secre-

tary

tary of the Grand Jury shall cause to be laid before the Court of Queen's Bench

Days at least before the last day that shall be appointed by the Judges as aforesaid for the finishing of the fiscal business, all accounts of presentments to be filed by the Court; and that each Grand Jury shall, for the whole period during which they shall sit, be called over each morning at sitting by the Foreman or person acting as such, and at all other times when the number of Grand Jurors present shall be less than by law required for the performance of the functions of a Grand Jury; and any Grand Juror who shall make default in his attendance at any of such times shall for every such default incur a penalty of *Forty Shillings*; and such default shall be reported by the Foreman to the Court of Queen's Bench, and unless the same shall be excused on the ground of illness, or other good and substantial reason, to the satisfaction of the Court, such fine and penalty shall be by the said Court confirmed and declared absolute, and recovered and applied in the same manner as fines and penalties imposed on Jurors for any defaults or misbehaviour may now by law be recovered and applied; and if the Foreman shall fail to call over the Jury at the times hereinbefore appointed, or to report the absence of any Juror upon such call, he shall incur a penalty of *Forty Shillings* for each such default, to be in like manner recovered and applied: Provided always, That nothing herein contained shall limit or affect the authority of the said Court to enforce the attendance of any Grand Juror as said Court may now enforce such attendance.

*Appointed
of County
Officers.*

4.
Grand Jury
shall appoint
Secretary.

And be it Enacted, That upon the death, resignation or removal of the present Secretary of the Grand Jury, it shall be lawful for the Grand Jury at any presenting term to appoint a proper person to act as their Secretary; and the present Secretary of the Grand Jury, or any Secretary who shall be appointed hereafter under the provisions of this Act, shall continue to act as such until he shall be removed by the Grand Jury, or until another person duly qualified shall be in like manner appointed; and if any person appointed Secretary shall happen to die, the Clerk of the Peace or his known deputy is hereby required to act as such until the last day of the ensuing presenting term; and for the performing all and singular the duties of such Secretary, such Clerk of the Peace or his said deputy shall be entitled to receive a rateable proportion of the salary of such Secretary for the time during which he shall have performed such duties; but in case of the illness of the Secretary, it shall and may be lawful for such Secretary to appoint a deputy, for whom he shall be responsible, and who shall perform the duties of said Secretary during his illness: Provided always, That it shall not be lawful to appoint or continue joint Secretaries or more than One person as Secretary in the said county.

5.
Secretary
shall not be
Clerk of
Peace.

And be it Enacted, That it shall not be lawful for the same person to be appointed, after the *passing of this Act*, Secretary of the Grand Jury and Clerk of the Peace, or Clerk of the Crown, or Treasurer of any county, or Collector of Grand Jury cess, or Inspector of gaols; and in case the Secretary of the Grand Jury shall at any time refuse or neglect to perform any of the duties imposed upon him by the provisions of this Act, such Secretary being convicted thereof before the Judge of the Court of Queen's Bench, shall for such refusal or neglect forfeit any sum not exceeding *Fifty Pounds*, at the discretion of such Judge; and no presentment shall be made of any salary to him. 5 10

6.
Lord Lieu-
tenant in
Council shall
appoint num-
ber of Dis-
tricts for
Surveyors,
and Salaries.

Grand Jury
shall fix
boundaries of
Districts.

No Barony to
be divided.

And be it Enacted, That it shall be lawful for the Lord Lieutenant, by Order in Council, at any time, and from time to time hereafter, to require and direct the Grand Jury of the said county, at the presenting term next following the making of such Order, to divide the said county into as many road districts as in and by such Order shall be directed, or to alter any districts, and fix and declare the salary of the Surveyors to be appointed for each district, and the scale by which such salary shall be at any time augmented; and the said Grand Jury shall thereupon declare and define by presentment the boundary of each such district, and set forth the townlands or deso- minations to be contained therein; provided, however, that no barony shall be divided, but the whole of each barony shall be placed in one district; and the presentment for such division or alteration of division of the county shall be laid before the Court, and filed with the other presentments; and from and after the filing of such presentment, the several districts to be formed shall be and constitute the road districts respectively of the said county for the purposes of this Act. 15 20 25

7.
Board of
Engineers
shall examine
and give
Certificates to
persons quali-
fied and
desirous of
being
appointed
Surveyors.

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland at any time to appoint a Board of *Three* Civil or Military Engineers to act without salary or emolument in Dublin, who shall from time to time examine into and certify the qualifications of persons desirous to act as District Surveyors for the said county under this Act; and such Board of Engineers, after due examination, shall give certificate of qualification to any person who, in their opinion, shall be duly and properly qualified to undertake the duties of such office; and it shall be lawful for the Grand Jury of the said county, at any presenting term, to appoint from amongst the persons who shall have obtained such certificate, one Surveyor for each road district, at such salary and subject to such augmentation as shall have been so fixed and determined by the Lord Lieutenant in Council. 30 35 40

8.
Duties of
District
Surveyors.

And be it Enacted, That each Surveyor to be appointed as afore- said shall attend at each Presentment Sessions hereinafter directed to be

be held in and for his district, for the reception of applications for Presentments; and also at the Presentment Sessions for the county at large, and shall afford such professional advice and assistance in the consideration thereof as may be required of him under the direction of the Grand Jury, the Finance Committee hereinafter directed to be appointed, or Presentment Sessions; and shall prepare forms of tenders and proposals, estimates, specifications, maps, plans, sections or elevations of any work approved thereat; and shall himself make such application, when necessary, as hereinafter directed; and shall also attend upon the Grand Jury, and as far as possible make to them a full and particular report on all applications for Presentments lodged with the Secretary as aforesaid, and the necessity or utility of the same, and on the correctness of the maps, plans, specifications and estimates prepared as aforesaid, and how far it may be expedient to alter, vary or modify the objects stated in such applications; and the said Surveyor or Surveyors shall also report generally on the state of public works in their respective districts, and on all applications on part of contractors, and on the progress and execution of all public works formerly presented, and on the performance of all contracts; and on the state, repairs, progress and condition of all buildings, roads, bridges, gulleys, walls or other work; and the said Surveyor or Surveyors, as the Grand Jury or Finance Committee shall direct, shall audit all accounts of such works, and ascertain and certify the correctness thereof, and whether each contractor is entitled to payment, and how far and whether such contractor has conformed to the provisions of this Act and the laws in force in Ireland; and shall also report the name and description of all persons by him prosecuted for any nuisance or injury to any road, or any other offence of like nature, and the result of such prosecution, and the proceedings therein, and generally on all matters and things relating to the office of Surveyor, or which may be given to him in charge by the Grand Jury.

And be it Enacted, That any Surveyor appointed under this Act may be at any time suspended or dismissed, or his salary withheld for neglect or misconduct, at the pleasure of the Lord Lieutenant of Ireland, or by the Grand Jury at any presenting term; and in such case, and on every other vacancy, however occasioned, the Grand Jury at the next presenting term shall appoint a successor from and out of the persons who shall be from time to time certified to be qualified as aforesaid: Provided always, That in case of indisposition or other unavoidable cause, proved on oath to the satisfaction of the Grand Jury or of any Three Justices of the Peace for the said county, such Surveyor may depute another person duly certified as hereinbefore mentioned to act for him; and such deputy shall be removable in the manner as his principal.

9.
Surveyors
may be dis-
missed by
Lord Lieut-
enant or
Grand Jury.

10.
On death,
resignation or
dismissal of
present Col-
lectors, Grand
Jury shall
appoint
Collectors of
County Coes.

And be it Enacted, That upon the death, removal or resignation of any of the present Collectors, the Grand Jury of the said county shall at any presenting term appoint a proper person, not being a Magistrate or Attorney, to be Collector for each barony in such county, to collect all money which shall be presented to be raised on such barony or any parish or townland therein, and the proportion of such barony towards the money presented to be raised on the county at large; and every such Collector shall have all power and authority, and shall exercise and perform all duties now or hereafter to be by law required of any High Constable or Collector: Provided always, That if any such Collector shall happen to die before he shall have collected the whole of the money presented to be raised as aforesaid on such barony for which he shall be Collector, or if any case of vacancy should occur, it shall be lawful for the Finance Committee for the said county to appoint another fit and proper person to be Collector pro tempore, until a Collector shall be appointed by the Grand Jury as aforesaid.

11.
Collectors
shall enter
into recogni-
tance
to be of effect
till office be-
comes vacant,
or Grand
Jury shall
otherwise
direct.

Provided always, and be it Enacted, That no person shall act as Collector unless he shall have given security before the acting foreman of the Grand Jury, at some Presenting Term, or before some Justice of the Peace, being a member of the Finance Committee (if such Collector shall have been appointed by the Finance Committee), by Two sufficient Sureties joining with him in executing a bond and warrant of attorney, without stamp, to confess judgment to the Secretary of the Grand Jury, conditioned for his duly collecting and paying into the Bank of Ireland, to the credit of the Finance Committee, from time to time, all such public money as he is or shall be required to collect, and that he shall at no time retain in his possession a larger sum than *Fifty Pounds*; and it shall be lawful for the Grand Jury to fix a sum not exceeding *Nine-pence* in the pound on the amount of the collection to be paid to such Collector for his trouble therein: Provided always, That no presentment for the payment of such poundage, or any balance thereof, shall be made by any Grand Jury, or fitted by the Court, unless the warrant under which such Collector has levied such public money shall be annexed to such presentment, nor unless such Collector and his deputy respectively shall make affidavit before the acting foreman of the said Grand Jury that such public money has been fairly and impartially levied, and that no more than the sum authorized by the warrant has been collected, to the best of his and their knowledge and belief; and every Collector as aforesaid may, by writing under his hand and seal, appoint a Deputy Collector, or Deputy Collectors, for whom he shall be answerable, to assist him in collecting the public money; and every such bond, and any judgment entered thereon, shall vest in and may be sued for by the Secretary of the Grand Jury for the time being, who shall be entitled to continue the

the proceedings of any former Secretary, on filing a suggestion, stating his appointment to such office, or on his making it otherwise appear to the Court in which such proceeding may be pending that he is the acting Secretary.

- 5 And be it Enacted, That every Collector shall commence his collection with as little delay as possible, after receipt of his warrant, and shall lodge the amount collected from time to time in the Bank of Ireland, to the credit of the Finance Committee of the county, and shall not at any time retain in his hands more than *Fifty Pounds*, but shall
10 lodge same with all convenient expedition in the said Bank of Ireland and shall attend the Finance Committee as they shall direct, and furnish them with a copy or vouchers of all receipts and lodgments; and in case of any inattention, neglect or misconduct on the part of any such Collector, it shall be lawful for the said Finance Committee to dismiss
15 or suspend such Collector, and to appoint another person in his place; whereupon the said Collector shall hand over his warrant, with a list of the persons whose Grand Jury Cess may have been paid, or may remain unpaid; and if such Collector shall refuse or neglect, for *Twenty-four Hours*, to deliver over such warrant and list as aforesaid,
20 after being required so to do, he shall forfeit the sum of *Twenty Pounds*, to be recovered by Civil Bill, or before any Justice of the Peace, at the suit of the Finance Committee.

12.
Collectors may be dismissed for negligence by Finance Committee.

Presentments on County at large.

- And be it Enacted, That it shall and lawful for the Grand Jury of the said county to present such sum or sums of money, to be
25 raised off the county at large, as shall be necessary for building, rebuilding, enlarging, repairing, altering, hiring, furnishing or fitting up any court-house or sessions-house therein, whether for general purposes or for the purposes of presentment sessions under this Act; and whenever any presentment shall be made for any of such purposes,
30 or any other public works, and the sum necessary to be raised for the same shall be greater than it may be proper to levy off the county at one time, then and in every such case it shall be lawful for such Grand Jury to present in the first instance the whole sum required for such purpose, and to direct in and by such presentment that the same
35 shall be raised off the county by such half-yearly sums or instalments and in such proportions as to such Grand Jury may seem expedient, and the same shall be so raised accordingly: Provided always, That it shall be lawful for any subsequent Grand Jury to present that any of the said instalments shall be increased to any sum that shall be
40 found necessary or proper.

13.
Grand Jury may present on County at large for building, repairing, &c. of Court-houses.

14.
Sessions-houses, how to proceed.

And be it Enacted, That if in any town or place at which the Lord Lieutenant hath directed or may hereafter direct that a Quarter Sessions of the Peace, or any adjournment thereof, shall be holden for the despatch of civil or criminal business, there be not a sufficiently commodious or convenient sessions-house, it shall be lawful

to and for the said Lord Lieutenant to direct any Architect or Engineer as he shall deem advisable to prepare such specifications, maps, plans, sections and elevations as may be necessary for the erection of a sessions-house, therein expressing the nature and probable expense of the works and the materials proper to be employed, and the same shall be delivered to the Secretary of the Grand Jury, who shall lay the same, together with the copy of the warrant of the Lord Lieutenant, before the Grand Jury, at the presenting term next after the time at which he shall receive the same; and the Grand Jury shall examine such specifications, maps, plans, sections and elevations, and such others as may be laid before them, and either adopt the same, or make such alterations therein as they may think proper, or reject the same; and shall present that a proper and sufficient sessions-house shall be provided or built in such town or place within the period of *One Year* from the last day of such presenting term, and that a sum not exceeding *One thousand Pounds* shall be levied off the county for that purpose at one time, or by instalments to be completed within the period of *Five Years*; and the Architect or Engineer shall thereupon prepare a proper form of tender for the execution of such work, and shall deliver the same to the Secretary of the Grand Jury, who shall lay the same, together with the presentment, and the specifications, maps, plans, sections and elevations, as approved of by the Grand Jury, before the next presentment sessions holden for the county at large, who shall direct within what period before the day to which such sessions may be adjourned, tenders for the execution of the works shall be received; and any tenders that shall be made for the execution of such works shall be opened at the first adjournment of such sessions, and dealt with in all respects in like manner as any other tender for a work approved of and presented is: Provided always, That if such presentment shall not be made, and a valid contract for executing such work shall not be entered into, within the period of *Three* calendar Months from the last day of the presenting term in which such warrant shall have been laid before the Grand Jury, it shall be lawful for the Lord Lieutenant to direct the Commissioners of Public Works in Ireland to build or provide such sessions-house, and on the production to the Grand Jury at any presenting term of the certificate of the Secretary of such Commissioners, that a sum not exceeding the sum of *One thousand Pounds* has been expended in building such sessions-house and purchasing a site for the same or for either of such purposes, the Grand Jury shall and they are hereby required to present the sum so certified to be levied off such county in one payment, and to be paid to the Secretary of the said Commissioners in satisfaction of the sum so expended: Provided also, That in case the said Commissioners of Public Works shall find it convenient to take a lease of any premises for the purpose of building such sessions-house thereon, they shall be at liberty to do so, and to engage to pay an annual

annual or other rent for the same, not exceeding the sum of *Fifty Pounds* per annum; and the Grand Jury shall and they are hereby required from time to time to present a sum equal to the amount of such rent, to be levied off the county, and paid in discharge of the same.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to advertise in the public newspapers for surveys, specifications, maps, plans, sections and elevations from professional engineers and architects, for the erection, alteration and repair of such buildings as may be required for the public use of the county, or for the construction of any bridge or other public work, the probable cost of which shall exceed and to present a sum not exceeding *Fifty Pounds* as remuneration to the engineer or architect whose plans shall be approved of, and to employ such engineer or architect, should they judge it necessary, in superintending the work to be executed pursuant to his plan, on such terms as may be determined by the Grand Jury.

15.
May advertise for Plans, &c.

And be it Enacted, That whenever any presentment shall be or has been made for the purpose of building a new or enlarging any court-house or sessions-house in and for the said county, it shall be lawful for the Grand Jury of the said county to authorize such Commissioners as such Grand Jury shall appoint to contract and agree with any person or persons, or body or bodies corporate or politic, for the purchase or renting of any houses, buildings, lands, tenements or hereditaments, convenient for the site of any new court-house or sessions-house, or adjoining to any old court or sessions-house, and convenient for the purpose of enlarging the same, or the courts or outlets thereunto belonging; and the lands, tenements or hereditaments so contracted or agreed for, shall be demised or conveyed to such Commissioners and to their heirs, executors, administrators and assigns, in trust for the uses and purposes aforesaid; and such Commissioners shall be appointed, and such demise or conveyance made, in such manner, and under such and the like rules and regulations as are prescribed in an Act passed in the seventh year of his late Majesty's reign, intitled, "An Act for consolidating and amending the Laws relating to Prisons in Ireland," with respect to the appointment of Commissioners, and the demising and conveying of any lands, tenements or hereditaments to such Commissioners under that Act: Provided always, That in case such Commissioners shall be unable to agree with the owners of any lands, tenements or hereditaments proper or necessary to be purchased for the purposes of any such presentment, and if the Grand Jury by which such presentment shall have been made, or any subsequent Grand Jury, shall direct that the same be purchased or rented by and under the valuation of a

16.
Site of Court and Sessions-houses.

329.

B

Jury,

Jury, it shall be lawful for the Commissioners appointed as aforesaid, or any Three or more of them, to issue their warrant to the Sheriff, in the manner directed by the said Act of the seventh year of his late Majesty's reign; and thereupon such and the like proceedings shall and may be had and taken for summoning, impanelling and swearing Juries, and valuing the premises so directed to be purchased or rented, and each and every part thereof respectively, and for obtaining the full possession and retain thereof, and a good title thereto, in the said Commissioners; and with and subject to all the same rules, regulations, conditions and jurisdictions as in the said Act provided concerning any premises to be purchased by such valuation under the aforesaid Act of the seventh year of his late Majesty's reign; and the said Commissioners shall in that behalf have, possess and exercise all and every the like powers and authorities as by the said Act are granted to and vested in the Commissioners therein mentioned; and it shall be lawful for any such or any subsequent Grand Jury to present the sum so agreed upon or fixed as the purchase-money of such premises, and the costs attending such purchase, to be levied off such county, either at one time or by half-yearly instalments, in such manner as they may think proper; and such presentment may be made without any previous application to any presentment sessions.

17.
Rents of
Court and
Sessions-
houses.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, and they are hereby required to present at each presenting term, without previous application at presentment sessions, to be raised upon such county, all such sum or sums of money as shall be necessary for paying such rent or rents of any court-house or sessions-house, or their appurtenances respectively, as now are or shall at any time hereafter be payable for the same.

18.
May sell old
Court-houses.

And be it Enacted, That it shall be lawful for the Commissioners appointed as aforesaid by any Grand Jury of the said county to sell and dispose, or to authorize the sale and disposal, of any old court-house or sessions-house belonging to the said county in which the sessions have been discontinued or have ceased to be held, together with the ground or site on which the same is built, according to the title or interest which the county may have in the same; and also to sell and dispose of, or to authorize the sale and disposal of, all or any part of the materials of which such old court-house or sessions-house may be composed; and the money arising therefrom shall be paid to the credit of the Finance Committee of such county, and applied to defray the purchase-money of any premises required for the erection of any new court-house, or to the erection of such new court-house, or such other purposes as any other public money raised off such county and coming to the credit of such Finance Committee may be applied.

And

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at any presenting term, without any previous application to presentment sessions, to present, to be levied off such county, such reasonable sum or sums as they shall think proper, for providing fuel or light for each and every or any court-house or sessions-house in or belonging to such county; provided that no sum so presented shall be paid by the Finance Committee of such county until the person to whom any such sum so to be presented for fuel shall be payable under such presentment, shall prove to the satisfaction of the said Finance Committee, by an affidavit sworn by him before some Justice of the Peace, or by other evidence, that the sum required to be paid hath been duly expended in the purchase of fuel, for the use of such court-house or sessions-house, pursuant to such presentment, and that the whole of such fuel hath been consumed in the said court-house or sessions-house, and for the use and benefit thereof; or if any part of such fuel shall not have been consumed, stating how much thereof has been consumed, and that the residue then remains in safe keeping, to be applied to the use of the said court-house or sessions-house in like manner.

19.
Fuel, &c. for
Court-houses

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present, for each of the places wherein Petty Sessions shall be appointed to be held, an annual sum not exceeding *Ten Pounds*, to be raised off such county, for the rent of a room or rooms for the holding of Petty or Presentment Sessions thereat, and of a lock-up room or house: Provided always, That such room or rooms shall not be in a house where spirituous or fermented liquors are sold, nor in any police barrack, nor in any other building maintained either wholly or in part at the public expense: Provided also, That whenever a public court-house shall have been built and provided at any place so appointed, no such presentment shall be made, but the Petty and Special Sessions shall be holden in such public court-house, and not elsewhere: Provided also, That it shall be proved to the satisfaction of the County Presentment Sessions, where application shall be made for such rent, that *Six* meetings of Justices, during the *Six* Months immediately preceding such application, have been held in such room or rooms.

20.
Rent of
Petty Ses-
sions-houses

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present, without any previous application at sessions, to be levied off such county, any sum not exceeding *Four Pounds*, at each presenting term, as a salary or payment for the Keeper of any sessions-house belonging to such county, where the General Quarter Sessions of the Peace are held; and any sum not exceeding *Five Pounds* at each presenting term for an interpreter, if such payment shall be recommended by the court.

21.
Salaries of
Sessions-
house
Keepers

22.
Milestones,
&c.

And be it Enacted, That it shall be lawful for the Grand Jury to
aforesaid to present, to be raised off the county at large, any sum or
sums of money for making or repairing a gallows, or for bolts and
shackles, not exceeding in the whole, in any one year, the sum of
Twenty Pounds; and also for erecting or repairing direction-posts,
mile-stones, mile-posts or depôts for materials, not exceeding *One Pound*
for each direction-post, mile-stone, mile-post or depôt; also the neces-
sary expenses incurred in printing the several notices and other docu-
ments, accounts and abstracts herein directed to be printed.

23.
Support of
Fever Hos-
pitals and
Dispensaries.

And be it Enacted, That where any Fever Hospital or Dispensary
for the purpose of furnishing medicine and affording medical and
surgical aid to the poor of any town or place in the said county is now
or shall be hereafter established in such county by private subscriptions
or donations, and a certificate of the sum or sums of money actually
received by the Treasurer of such Fever Hospital or Dispensary from
private subscription or donation, since the last application to Present-
ment Sessions, or since the establishment of such Fever Hospital or
Dispensary, and a statement of the number of persons admitted or
relieved, together with an account of the receipt and disbursement of
all monies raised by virtue of any presentment for such Fever Hospital
or Dispensary, as well as of all monies actually received from private
subscription or donation for the use of such Fever Hospital or Dis-
pensary, since the date of such last application or establishment, shall
have been laid before the Presentment Sessions ensuing the disburse-
ment thereof; and such certificate and account, verified upon the oath
of such Treasurer, shall, together with the application for a present-
ment for such Fever Hospital or Dispensary, have been allowed and
approved of at such Sessions, it shall be lawful for the Grand Jury of
the said county at any presenting term to present, to be raised off
the said county, or any barony or baronies thereof, as to such Grand
Jury shall seem fit, in case of a Fever Hospital, a sum not exceeding
Double the amount, and in the case of a Dispensary, a sum not exceeding
the amount of such private subscriptions or donations so received to
be paid to the Treasurer of such Fever Hospital or Dispensary, and
applied (under the direction of the subscribers of any annual sum of not
less than *One Guinea*, or such committee of them, not fewer in number
than *Five*, as they shall appoint for that purpose at any general meeting
of such subscribers), together with the monies received by private sub-
scription and donation, in fitting up and supporting such Fever Hospital
or Dispensary, and in providing medicine and medical and surgical
aid for the poor of such place and its neighbourhood: Provided
always, That when any Fever Hospital shall be attached to any Dis-
pensary, the Treasurer of the same shall separate the accounts of
the receipts and expenditure of each such Fever Hospital and Dis-
pensary, and the application for presentments for each shall be sepa-
rate and distinct: Provided also, That no such presentment shall be
made

made unless it shall appear by the certificate of such Treasurer, verified as aforesaid, that the Medical Attendant, if appointed after the passing of this Act, resided since the creation of such Dispensary or Hospital, or since the last presenting term (as the case may be), at or within *Five* statute Miles of such Dispensary or Hospital.

And be it Enacted, That whenever it shall be made appear by statement on oath to the Grand Jury of the said county that there has been actually received from private subscriptions or donations any sum or sums of money for the purpose of erecting any house to be applied to the reception of fever patients, and either connected with any local dispensary or not, as the case may happen, and upon a certificate by one or more Physicians that there is a necessity for providing accommodation for such patients, it shall and may be lawful for such Grand Jury to present, to be raised off such county, any sum not exceeding *Double* the amount of the sum or sums so raised by donation or subscription, and actually received by the Treasurer, to be applied, together with the monies so received by private donation or subscription, in erecting such house for fever patients, in such manner as the subscribers of any sum not less than One Guinea, or such committee of them, not fewer than *Five*, as they shall appoint for that purpose, at any general meeting of such subscribers, shall in their discretion deem most advisable: Provided always, That the affidavit and certificate herein mentioned shall, together with the application for such presentment, have also been laid before the Presentment Sessions and approved thereof: Provided also, That an account of the receipt and expenditure of such Fever Hospital, from the time of its establishment to the time of the first presentment required, and afterwards from the time of each presentment required till the time when any further presentment is required, shall, together with an application for the sum so proposed to be presented, be laid before the Presentment Sessions to be holden under this Act for the purpose of considering applications for presentments, and that such account and application shall be approved at such Sessions.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at each presenting term, to present, to be raised off such county or any barony or baronies thereof, a sum not exceeding to be paid to the Treasurer of the Infirmary of such county, and applied to the support and maintenance of such Infirmary: Provided always, That, together with an application for such presentment, a certificate under the hand of the Physician or Surgeon of such Infirmary, stating the number and names of patients, as well extern as intern, received and relieved since the preceding application, and also a true debtor and creditor account of the funds and expenses thereof, commencing from the time of the preceding application,

24.
Erection of
Fever Hos-
pitals.

25.
A sum not
exceeding
Pounds
for County
Infirmary.

application, attested by the signature of the Treasurer of such Infirmary, shall have been laid before the Presentment Sessions, and that such application and account shall have been approved of thereat.

26.
Salary to
Infirmary
Surgeon.

And be it Enacted, That it shall be lawful for the Grand Jury 5
of the said county to present at each presenting term any sum not
exceeding _____ to be raised off such county,
and paid to the Surgeon or Surgeons of the Infirmary thereof: Pro-
vided always, That no such presentment shall be made unless, together
with an application therefor, a certificate, signed by the Governors of 10
such Infirmary or Hospital, or by Five of them at the least, shall be
laid before the Presentment Sessions, which certificate shall state that
the Surgeon or Surgeons for whom such sum is requested to be pre-
sented hath duly and faithfully executed his or their duty as Surgeon 15
of such Infirmary or Hospital, and diligently complied with the rules
and regulations of the Governors of such Infirmary since the date of
the last application, nor unless a true copy, certified under the hand
of the Treasurer of such Infirmary or Hospital, of the Letters Testi-
monial from the College of Surgeons in Ireland, by law required to 20
be obtained by every such Surgeon, shall be laid before the Special
Sessions next after his appointment to his office: Provided also, That
no Surgeon or Medical Attendant hereafter appointed shall be qual-
ified to act as Surgeon of any Infirmary or Dispensary until he shall
have signed and deposited with the Secretary of the Grand Jury a
Declaration in the form in the Schedule No. _____ to this Act annexed. 25

27.
Idiot Wards
in connection
with Lunatic
Asylum.

And be it Enacted, That where any ward or wards for the recep-
tion and support of idiots and incurable insane persons is or may be
established in conjunction with or under the direction of any Lunatic
Asylum connected with the said county, it shall and may be lawful for
the Grand Jury, at each presenting term, to present such sum or sums, 30
not exceeding the sum of _____ as shall appear to be necessary
for the support of such ward connected with such Lunatic Asylum; and
such sum shall be raised off the county at large, or off any barony or
baronies thereof, as the Grand Jury shall direct.

28.
Expenses of
Boards of
Health.

And be it Enacted, That whenever the Lord Lieutenant of Ireland 35
shall at any time have ordered any sum or sums of money to be
advanced out of the Consolidated Fund of the United Kingdom of
Great Britain and Ireland, for the payment of the expenses incurred
by any Commissioners appointed by such Lord Lieutenant or other
Chief Governor or Governors, to form a Board of Health in any town 40
or district within the said county, it shall be lawful for the Grand Jury
and they are hereby required to present, without previous application
to Presentment Sessions, all sums so advanced to be raised off such
county,

county, or any barony or baronies thereof: Provided always, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, if they shall think fit, to direct that such sum shall be repaid by such instalments as they may think proper.

And be it Enacted, That at any time after any Order in Council shall be made by the Lord Lieutenant of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, under and by virtue of the provisions of an Act passed in the first and second years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences in Ireland," or any Act or Acts amending the same; and after such Order shall have been published in the Dublin Gazette, it shall and may be lawful for the Grand Jury of the said county to present at any presenting term such sum or sums of money, to be raised off such county or any barony or baronies thereof, as shall be requisite for defraying the expenses of erecting and establishing an Asylum for the lunatic poor, or for erecting any Ward for the reception of Idiots or incurable Lunatics for such district, or any proportion thereof, ascertained by any order made by the said Lord Lieutenant and Privy Council.

29.
Lunatic Asylums, erection of, where necessary.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present, at each presenting term, to be levied off such county or barony or baronies thereof, such sum or sums of money as shall be necessary for the expenses of supporting, supplying and maintaining any such Asylum or the officers thereof, or the patients therein, or any proportion of such expenses, ascertained by order of the said Lord Lieutenant and Privy Council, under the provisions of the said last-recited Act.

30.
Maintenance of Lunatic Asylums.

And be it Enacted, That whenever the Lord Lieutenant of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, shall, under the provisions of the said last-recited Act, or any Act amending the same, have ordered and directed any sum or sums of money to be advanced, issued and paid out of the growing produce of the said Consolidated Fund arising in Ireland, for the purpose of erecting and establishing, opening, carrying on, enlarging, maintaining or supporting any such Asylum, the Grand Jury of the said county shall and they are hereby required (after any such Asylum shall be fit for the reception of such lunatic poor) to present at each presenting term, without any previous application at Presentment Sessions, such sum or sums of money, to be levied off such county, as shall be necessary for the repayment of any such sum or sums so advanced, or any part thereof, at such times and in such proportions as shall be directed and ascertained by any Order or Orders to be made by such Lord Lieutenant in Council as aforesaid.

31.
Repayment of advances for Lunatic Asylums.

32.
Rente fra
vinteren.

And be it Enacted, That in each and every case, when the Commissioners appointed for general control and correspondence, and for the superintending and directing the erection, establishment and regulation of district Lunatic Asylums, shall have rented or purchased any houses, buildings, lands, tenements or hereditaments on the site or sites of which it shall be proposed to erect or maintain any such Asylum for the said county, it shall be lawful for the Grand Jury of the said county, and such Grand Jury are hereby required, at the presenting term next ensuing the day or time when such purchase shall be made or such rent shall become due, or as soon after as shall be requisite, and so from time to time, whenever the case shall happen, to present, without previous application to Presentment Sessions, to be levied off such county, such sum or sums of money as they shall be directed to present by the Lord Lieutenant of Ireland in Council as aforesaid, for the purpose of completing such purchase, or paying such rent or rents.

33.
Fees to
Commons

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at each presenting term, to present any sum not exceeding in the whole the sum of *Thirty Pounds* for each and every Coroner in such county, to be levied off such county or any barony therein, as such Grand Jury shall think advisable; and such Grand Jury shall apportion the whole of such sum so presented among the several Coroners of such county, according to the number of inquests which may appear to have been respectively held upon the body of any person by each of such Coroners since the date of the last application for a presentment; and such sums shall be paid to the Coroners respectively who shall have held such inquests, and for whom such sums shall have been presented: Provided always, That no Coroner shall receive more than at the rate of *Two Pounds* for each inquest so held by him.

34.
Certificate of
Inquests held
by Coroner.

Provided always, and be it Enacted, That it shall not be lawful for any Grand Jury to make any presentment for any such remuneration to any such Coroner, unless, together with the application for the same at the County Presentment Sessions, there be laid before such Sessions a certificate of each inquest respectively taken by such Coroner, made and signed by such Coroner, in the form following :

" I, A. B., a Coroner in the county of Dublin, do hereby certify,
That on the _____ day of _____ I held
an Inquest on the body of C. D., at _____ in this
county, and that the names of the Jurors impanelled on such
Inquest were as follows : _____
and that the names of the Witnesses examined before such
Jurors were as follows : _____

and that the verdict of such Jury was

All which I certify. Dated this

day of

A. B., Coroner of this County.

And it shall be lawful for such Sessions or the Grand Jury, in case they shall so think fit, to examine any such Coroner upon oath as to the truth of any such certificate.

And be it Enacted, That it shall be lawful for any Coroner before whom any Physician, Surgeon, Apothecary, Chemist or other person practising medicine or surgery, shall, in obedience to a summons from such Coroner, attend and be examined as a witness at any inquest relative to the death of any person, to grant such witness an order signed by such Coroner upon the Finance Committee of the county for such sum not exceeding *Three Pounds* as to such Coroner shall seem fit; and the amount of all such payments shall be presented by the Grand Jury, to be raised off the county at large or any barony thereof, in like manner as the sum presented for the inquest whereat such party may have attended: Provided always, That the Coroner shall certify to the Presentment Sessions of the barony in which the inquest was held the amount and particulars of all such sums so by him ordered to be paid: Provided also, That in all cases where it is convenient and practicable so to do, such Coroner shall summon and examine the Medical Attendant of one of the nearest Dispensaries to the place where such inquest shall be held.

35.
Medical
Witnesses on
Inquests not
exceeding
Three
Pounds.

Nearest
Attendant of
Dispensary to
be called in.

Provided always, and be it Enacted, That it shall not be lawful for any Grand Jury to present any money to be paid to any Coroner who shall appear to them to have been guilty of neglect of duty in not attending to take any inquest nor otherwise, nor in any case to present any money for the remuneration of any Coroner for or in respect of any inquest other than such as shall have been held since the date of the application for the last presentment.

36.
No Presentment if Coroner has not attended.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at each presenting term, and they are hereby required to present, to be levied off such county, or off any barony or half-barony (as the case may be), all and every such sum or sums of money as may be chargeable upon and directed to be presented and levied off such county, barony or half-barony, by and under the provisions of any Act or Acts for the appointment, maintenance and regulation of the Constabulary Force in Ireland; and every such presentment shall be made without any previous application to Presentment Sessions, and in all respects pursuant to the regulations of the said Acts, or such of them as may be applicable to the case; and the money levied

37.
Constabulary.

under every such presentment shall be paid over in such manner and to such bank or person as the said Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct, save and except in the case of the superannuations hereinafter, and by the said Acts, or any one of them, directed to be paid to the parties entitled to the same. 5

38.
Super-
annuated
Constables.

And be it Enacted, That whenever the Lord Lieutenant of Ireland shall, under and by virtue of the provisions of an Act passed in the fifth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to amend an Act of the Third Year of his late Majesty King WILLIAM the Fourth's Reign, for the Appointment of Constables in Ireland," or under the provisions of any other Act, have ordered any sum or sums of money to be paid and advanced out of the produce of the Consolidated Fund of Great Britain and Ireland, arising in Ireland, as an annual remuneration or superannuation to any Chief Constable, Constable or Sub-Constable, disabled by any maim, wound or hurt, or other grievous injury received by him in the execution or performance of the duty of his office, and to be defrayed by the said county of Dublin, or any barony thereof, it shall and may be lawful for the Grand Jury of the said county, and such Grand Jury is hereby required, upon the production of the certificate of the Chief Secretary of the Lord Lieutenant for the time being, or of the Under Secretary, of the amount of the sum or sums so paid and advanced out of the Consolidated Fund for the superannuation of such Constables, to present (without previous application to Presentment Sessions) one moiety of such sum or sums so paid, advanced and certified as aforesaid, to be levied off such county or barony; and the same when levied shall be paid over in such manner and to such bank or person as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct. 30

39.
Super-
annuated
Magistrates.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, and they are hereby required to present (without previous application to Presentment Sessions) such yearly allowance, superannuation, compensation, gratuity or remuneration, as the Lord Lieutenant, or other Chief Governor or Governors of Ireland for the time being shall order, or at any time have ordered, to be paid by such county, or such proportion thereof as he or they shall direct or have directed to be paid to any Magistrate, Inspector, Deputy Inspector, County Inspector, Sub-Inspector, Chief Constable, Constable or Sub-Constable, who has been or shall hereafter be superannuated by virtue of the provisions of any Act or Acts now in force authorizing such Lord Lieutenant, or other Chief Governor or Governors to grant such superannuation, and such allowance, superannuation, 40

annuities, compensation, gratuity or remuneration, shall be presented in equal moieties, One at each presenting term, during the life of each person so entitled thereto, on proof to the Grand Jury, from time to time, that such person is living.

5 And be it Enacted, That when in the said county any Special Constable shall have been appointed by virtue of an Act of the second and third year of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for amending the Laws in Ireland, relative to the Appointment of Special Constables, and for the better Preser-
 10 vation of the Peace," and the Justices of the Peace of such county acting at a Special Sessions, held for that purpose, or the major part of them, shall, in pursuance of the powers given to them by the said Act, have made any order or orders upon the Finance Committee for the payment to such Special Constables of a reasonable allowance
 15 for their trouble and loss of time, or to defray expenses incurred in providing staves or other necessary articles for such Special Constables, it shall and may be lawful for the Grand Jury of such county, and such Grand Jury is hereby required to present (without previous application to Presentment Sessions), to be raised off such county,
 20 or any part thereof within which such Special Constables may have served, the amount of all sums paid by the Finance Committee pursuant to such order or orders.

40.
Special
Constables.

And be it Enacted, That where any person shall have been tried for any felony or misdemeanor whatsoever, committed or alleged to have
 25 been committed in the said county of Dublin, it shall be lawful for the Court before whom such person shall have been tried, in case it shall appear that there was a reasonable ground of prosecution, and cause for the same being defrayed by the county of Dublin, to order the Finance Committee of the said county to pay to the prosecutor, upon his
 30 application, such sum of money as to such Court shall seem reasonable, not exceeding the expenses which it shall appear to the Court that such prosecutor may have bona fide incurred in carrying on such prosecution; and in case such prosecutor shall appear to the Court to be in poor circumstances, such Court may make a further reasonable allowance to such prosecutor for trouble and loss of time; which order the
 35 Clerk of the Crown or Clerk of the Peace respectively is hereby directed and required forthwith to make out and deliver to such prosecutor, without fee or reward; and when any person shall appear on recognizance or subpoena to give evidence as to any felony whatsoever, committed or alleged to have been committed in the said county
 40 of Dublin, whether the prosecution of such felony be commenced or carried on by or under the direction of any Law Officer of the Crown, or any other person, it shall be lawful for the Court before which such person shall appear, whether any Bill of Indictment be preferred

41.
Prosecutors
and Witnesses.

ferred or not to any Grand Jury in case such person shall have bona fide attended in obedience to such recognizance or subpoena, to order the Finance Committee of the said county to pay unto such person such sum of money as shall seem reasonable, not exceeding the expenses which it shall appear that such person has bona fide incurred by reason of the said recognizance or subpoena; and in case such person shall appear to be in poor circumstances, such Court may make a further reasonable allowance to such person for trouble and loss of time, which order the Clerk of the Crown or the Clerk of the Peace respectively is hereby directed and required forthwith to make out and deliver to such person; and such Finance Committee is hereby authorized and required to pay to any such prosecutor or witness respectively, or to any person by him or her authorized, any such sum of money so ordered; and the Grand Jury of the said county shall, at each presenting term, present all sums so paid to such prosecutors and witnesses respectively, to be raised either off the county at large or upon any barony thereof, as to such Grand Jury shall seem fit; and such presentment may be made without any previous application to Presentment Sessions.

42.
Rewards for
information.

And be it Enacted, That if it shall appear that any person having given information or evidence against any person or persons charged with any offence against the public peace shall have been murdered or maimed within the said county of Dublin, previous to the trial of the person or persons accused by such information or evidence, or of any of them, or on account of any such evidence given, or that any Magistrate or other peace officer shall be murdered or maimed on account of his exertions as such Magistrate or peace officer to bring disturbers of the public peace to justice, it shall and may be lawful to and for the Grand Jury of the county to present such sum or sums of money as they shall think just and reasonable to be paid to the personal representative of such witness, Magistrate or peace officer so murdered, or to such witness, Magistrate or peace officer so maimed, having regard to the rank, degree, situation and circumstances of such witness, Magistrate or peace officer; such money to be raised off the county at large, or the barony in which such murder or maiming shall respectively have been perpetrated, at the discretion of such Grand Jury.

43.
Rewards for
apprehension
of Offenders.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at any presenting term, if they shall think fit, to present, without any previous application at sessions, any sum of money not exceeding the sum of *Twenty Pounds* for each and every person who shall apprehend and prosecute to conviction any person guilty of any murder, and any sum not exceeding *Ten Pounds* for each and every person who shall apprehend and prosecute to conviction any person guilty of any other capital felony, or of any misdemeanour,

misdeemeanor, for which any person on conviction may be liable to be transported, such sum or sums to be raised off such county, or any barony thereof, as such Grand Jury shall think proper, and to be paid to any prosecutor or prosecutors of such offenders as aforesaid; and such presentment may be made during the time appointed for transacting the criminal business of such county.

And be it Enacted, That upon the removal of any prisoner, apprehended according to law, in any other part of the United Kingdom, and charged with any offence committed within the said county of Dublin, it shall be lawful for the Finance Committee of the said county, upon being satisfied that such expenses are reasonable in amount, and fairly chargeable upon the said county of Dublin, to repay out of any funds to their credit the expenses attending the removal of such prisoner; and the Grand Jury of the said county shall, at the next presenting term, present the amount so paid to be raised off the county at large; and such presentment shall be made without any previous application to Presentment Sessions.

44.
Removal of
Offenders.

And be it Enacted, That where, after the *passing of this Act*, any Child under the age of Two Years shall be left exposed and deserted in any parish in the said county, and an application shall have been made by any Two Cess-payers, with the approval of Two or more Justices at Petty Sessions assembled, and such application shall likewise have been approved at the Presentment Sessions for the barony in which such parish shall be situate, it shall be lawful for the Grand Jury of such county to present, to be levied off such parish, or any portion thereof, any sum not exceeding *Five Pounds* in the year, for the maintenance of such child; and such sum so levied shall be paid to the Cess-payers making such application, or such other person or persons as the Grand Jury shall direct, to be by them applied for the purposes aforesaid: Provided always, That if the Baronial Presentment Sessions shall not approve of any such application, or the Grand Jury of such county shall refuse or neglect to make such presentment, it shall be lawful for any Judge of the Queen's Bench, upon the complaint of such Cess-payers, to order such sum as he shall think fit, not exceeding *Five Pounds*, to be raised upon such parish or portion thereof (in the same manner as any money presented by Grand Juries), for the support of such child: Provided also, That in no case shall any sum be presented for the support of any such child after it shall have attained the age of *Twelve Years*.

45.
Maintenance
of deserted
Children.

And be it Enacted, That all county and other officers and persons mentioned and specified in the Schedule, No. 15, to this Act annexed, shall, from and after the *passing of this Act*, be paid and remunerated for their respective duties, services and expenses by

46.
Salaries of
County
Officers, as
per Schedule.

annual salaries, payable half-yearly after each presenting term, by equal moieties, and not exceeding the amount mentioned in the said Schedule; and the Grand Jury at any presenting term shall and may present (without previous application to Presentment Sessions) for each such officer, to be raised off the county at large, the moiety of such annual salary: Provided always, That in case of any negligent or insufficient discharge of duty by any such officer or officers, it shall and may be lawful to and for any Grand Jury, with the express sanction of the Court, but not otherwise, to present any sum or sums less in the whole than the moiety of the annual salary by this Act specified to be paid to any such officer or officers, or to withhold and refuse to make any presentment whatever for any such officer or officers.

47.
Clerk of
Crown shall
make Return
of Fees.

And be it Enacted, That before any Clerk of the Crown or Clerk of the Peace shall be entitled to receive such salary as is hereby provided, he shall at each presenting term lay before the Grand Jury an account, verified on oath and sworn and read in open Court, setting forth the total amount of his fees and other emoluments, and distinguishing the several sums paid and received under each separate head of service, and the rates of fees or remunerations received on each; and it shall not be lawful for any Grand Jury to present any salary to be paid to any Clerk of the Peace unless it shall appear to them that he has given security by recognizance in the sum of *One thousand Pounds* for the due and faithful execution of his office of Clerk of the Peace, and that such recognizance has been duly deposited or recorded.

48.
Further Pre-
sentment in
case of
Special Com-
missions.

And be it Enacted, That in case at any time a Special Commission shall be held within the said county for the trial of offenders, the Grand Jury at the presenting term next immediately ensuing shall and may, without previous application to Presentment Sessions, make a further presentment for the Clerks of the Crown, Sheriffs and Judge's Crier, not exceeding *One-fourth* of their annual salary, subject nevertheless to the like direction as hereinbefore given to any Grand Jury in case of neglect or insufficient discharge of duty by any officer.

49.
Presentment
to Secretary
shall include
stationery.

And be it Enacted, That the presentments to be made under this Act for the Secretaries of the several Grand Juries shall be in full acquittance of all demands to be made by such Secretaries for stationery, which such Secretaries shall be bound to furnish to the several Grand Juries without further charge, not, however, including the expense of printing, herein specially provided for; such stationery, however, shall not be understood to include any books which may be necessary for keeping the several accounts of the

the county; and it shall be lawful for the Grand Jury to present such sum or sums as may be necessary for defraying the expense of same.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county at each presenting term, and they are hereby required to present all such sum or sums of money as may be necessary to defray the expense of providing and printing all such registry books and lists of registered voters as are or shall be required to be provided and printed by the several Acts now in force for regulating the election of Members to serve in Parliament in Ireland, to be paid to the person or persons who shall have contracted for supplying and printing such books or lists.

50.
Registry
Books and
Lists.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present, to be raised off such county at large, the expense of providing and transmitting such copies of the imperial standard weights and measures, and the stamps to be used by the Inspectors of Weights and Measures, as they are respectively directed to provide and transmit under and by virtue of an Act passed in the fifth and sixth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to repeal an Act of the Fourth and Fifth Years of his present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof."

51.
Weights and
Measures.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present, to be levied off such county at large, such sum or sums of money as may be necessary, or shall have been expended under the direction of the Judges of the Court of Queen's Bench, or any Grand Jury or any Finance Committee, for or in suing any Treasurer, High Constable or Collector of any public money, or any of their sureties, executors or administrators, for any misconduct, breach of duty or non-payment, or for recovering any public money from any Treasurer, High Constable or Collector, or their sureties, executors or administrators, or for suing any Contractor under this Act, or under any Act in force in Ireland at the time of the passing of this Act, his sureties, executors or administrators, for any breach of contract, or any other necessary costs attending Grand Jury business: Provided always, That no such presentment shall be made unless, together with the application therefor at Presentment Sessions, there shall have been laid before such Sessions a bill, duly taxed and certified by the proper Taxing Officer, of the costs incurred for any of the purposes aforesaid, for which such presentment shall be required, nor unless it shall be proved that such costs could not be received from the person sued, or any other person liable to pay the same, and that the proceeding was instituted by the direction of a Grand Jury.

52.
Suing Officers,
&c.

And be it Enacted, That whenever the Lord Lieutenant of Ireland, by virtue of the powers and authorities given to him by an Act passed

53.
Valuation
Commissions.

in the seventh year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in Ireland, for the purpose of the more equally levying of the Rates and Charges upon such Baronies, 5 Parishes and Divisions respectively," and any Act amending the same, shall have ordered and directed any sum or sums of money to be advanced out of the produce of the Consolidated Fund of the United Kingdom arising in Ireland, for the defraying of the salary or the travelling or other expenses of any Commissioner of Valuation, or for 10 defraying the allowances of any Valuers appointed under the provisions of the said recited Acts or any of them, for purposes appertaining to the valuation of the said county, it shall and may be lawful for the Grand Jury of the said county, and they are hereby authorized and required, on the production of the certificate of the Chief 15 Secretary of such Lord Lieutenant, or of the Under Secretary, of the amount of money advanced and paid as aforesaid, to present (without previous application to Presentment Sessions) to be levied off the county, or any barony or baronies therein, the amount of the sum or sums stated in such certificate, in such manner and in such pro- 20 portions as the said Lord Lieutenant shall direct; and when and so soon as the sum or sums so to be presented as aforesaid shall be raised and received, it shall be paid over by the Finance Committee in such manner and to such bank or person as the said Commissioners of Her Majesty's Treasury shall direct. 25

54-
Lowering
hills, building
and repairing
bridges,
gullies, &c.
either on
County or
Barony.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present such sum or sums of money as may be necessary for lowering any hill, or filling up any hollow, or both, on any public road, and for making the road thereon with stones and gravel, or for building, rebuilding, repairing, altering or enlarging 30 any bridge, pipe, arch or gullet, built of stones or bricks or wood, under or on any such road, or filling or gravelling over any such bridge, arch, pipe or gullet, or for building or repairing any wall or part of a wall necessary to the support of, or to prevent any steep banks of earth from falling upon any such road, or for erecting any 35 fence, railing or wall for the protection of travellers from dangerous precipices or holes on the side of any public road, to be raised either off the county at large, or off the barony or baronies in which the same may be locally situate.

55-
Where road
or stream is
boundary, not
more than
One-half.

And be it Enacted, That where a river or stream or where any 40 road is the boundary between the county of Dublin and any other county, so as that one side of such road shall be in the said county, and the other side in another county, it shall not be lawful for the Grand Jury of either county to present, to be raised on either county, or upon any barony of either county, more than *One-half* of the sum 45 required

required for building, rebuilding, repairing, enlarging or altering any bridge, pipe, arch or gullet over such stream or river, or for repairing, making or widening any such road; and no application for payment on account of any such presentment shall be allowed, unless an equal sum shall have been presented to be raised for the said work on the adjoining county, or some barony thereof.

Presentments on Baronies for,

56.

Widening and repairing Road, and filling up Ditches.

And be it Enacted, That it shall be lawful for the Grand Jury to present any part of any public road to be widened to any breadth not more than Fifty Feet in the clear, or to narrow such roads as the Surveyor may report to be unnecessarily wide, and to present all such sum or sums of money as shall be necessary for widening and fencing the same, or for gravelling, macadamizing, paving, fencing, repairing or otherwise improving any part of any public road, or for filling up any grips or trenches on the sides of any public road, and making sufficient fences instead thereof, or for filling dikes or holes on the sides of any public road, or for making, widening or deepening drains on the side of any such road, and carrying off the water therefrom, or for making any Barony Pounds to be levied off the barony or baronies where the same shall be situate.

Barony Pounds.

57.

Footpaths, making and repairing.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, at any presenting term, to present any footpath to be made or repaired along the side of any road for which they may have authority to make presentment, and to present such sum or sums of money as may be necessary for making or repairing the same, to be levied off the barony or baronies in which such footpath shall be locally situate.

58.

Repairs of Roads and Footpaths by contract, not exceeding Seven Years.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county to present any public road within such county or any part of such public road, or any footpath upon the side of such road, to be gravelled or repaired with broken stone, or the battlements of any bridge upon such road to be kept in sufficient order and repair, by contract, for any space of time not exceeding Seven Years, and also from time to time to present such sum or sums of money as shall be necessary for the execution of any of the above-mentioned works, and the payment of the person or persons with whom such contract for the execution of the same shall have been made, to be levied or raised off any barony or baronies in which such road may be locally situate, and when it passes through more than one barony, then proportionally on each barony: Provided always, That in case it shall appear to any county Surveyor at any time during the continuance of any contract for keeping any road in repair that such road is not in proper repair, he shall require the Contractor to put the same in repair, and if such Contractor shall neglect to do so within Ten Days after he shall have been so required,

329.

10

such

such Surveyor shall cause the same to be repaired, and the expense thereof shall be deducted and repaid out of the sum which would be payable to such Contractor if the road had been kept in proper repair.

59-
New Roads,
application
being pre-
viously
lodged with
Secretary,
and notes
served on
Occupier.

And be it Enacted, That it shall be lawful for the said Grand Jury at any presenting term to present any new road to be laid out and made of any width not less than *Sixteen Feet* nor more than *Fifty Feet* in the clear, and to present all such sum and sums of money as shall be necessary for laying out, or for forming, levelling and draining, or for gravelling, paving and making the same, and also for making fences thereto, to be levied on the barony in which the same shall be situate; and when it passes through more than one barony, then proportionally on each barony: Provided always, That no presentment shall be made for laying out any such new road, unless, together with the application therefor, a map of such intended new road has been lodged with the Secretary of the Grand Jury Ten Days at least before the day for holding the first Presentment Sessions previous to each presenting term in such county, and that a notice setting forth that an application is intended to be made for a presentment to lay out such new road (distinguishing the several townlands and baronies through which it is intended to be carried, with the number of perches in length through each townland) has been personally served upon or left at the house of each occupier of the land through which such new road is intended to be made, *Fifteen Days* at least before the day of holding such Sessions, nor unless it shall appear that no part of such new road is to be made through any deer park inclosed with a wall built of lime and stone or bricks *Five Feet* high or more, without the consent of the owner thereof, and that no part thereof is to be made through any house entirely built with lime and stone or bricks, or through any office belonging to any person inhabiting a house so built, without the consent of such person.

60.
Surveys for
new Roads,
may be
authorised on
certificate of
Justices.

And be it Enacted, That it shall be lawful for any person or persons to survey and measure any line intended for a new road, for which a presentment is to be applied for, and for that purpose to enter in and upon any lands or premises through which such intended line may pass; provided, that such person or persons shall be thereunto authorized by a certificate in writing under the hand of one of the County Surveyors, stating that such survey and entry to make the same is proper, and that such certificate shall be allowed by Two Justices of the Peace for the said county, such allowance being signified under their hands by indorsement upon such certificate.

And

And be it Enacted, That it shall be lawful for any Two Justices of the Peace of the said county, upon the application of any of the County Surveyors, to forbid any person or persons from riding or driving any kind of beast or carriage on any new road for such space of time as shall to them appear necessary, not exceeding Six Months after such new road shall have been made; and any person who shall wilfully disobey such order, the same being duly notified by a notice affixed to a board or boards erected upon such road, shall be liable to be fined any sum not exceeding Twenty Shillings for each offence, to be imposed by any Justice of the Peace of the said county, on his own view, or on the evidence of any One competent Witness, and levied off the goods and chattels of such offender by warrant under the hand and seal of such Justice.

61.
New Road
not to be used
for certain
time;
Penalty,
Twenty Shillings.

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, after application made and approved of at the preceding Presentment Sessions, to present any old road in the said county which may appear to them to be useless to be stopped up, to every which presentment it shall be lawful for any person to enter a traverse at the then or the next presenting term; and if such traverse shall not be tried within a year after such presentment shall be made, the presentment shall stand good and valid to all intents and purposes.

62.
Stopping up
old Road.

AND whereas it is expedient that provision should be made for the more speedy and effectual repair of roads upon which Her Majesty's mails are carried; BE it therefore Enacted, That it shall be lawful for the Commissioners acting under and in execution of an Act passed in the first and second years of the reign of his said late Majesty, intituled, "An Act for the Extension and Promotion of Public Works in Ireland," or any other Act for amending the same, upon the application of Her Majesty's Postmaster-general for the time being, setting forth and describing the line of any such road, or the portion of any such road, in the said county of Dublin, which may stand in need of repair, by and with the consent of the Lord Lieutenant or other Chief Governor or Governors of Ireland, to cause such road, or such portion thereof as shall be described in such application, and any or every bridge, arch or pipe, gullet or wall thereon, to be put forthwith into good and sufficient repair accordingly, under the superintendence of one of the County Surveyors; and that upon the application of the said Commissioners, setting forth what sum will be requisite and necessary from time to time for the purposes aforesaid, it shall and may be lawful for the Lord Lieutenant of Ireland to direct, by his warrant, that the sum or sums of money so required by the said Commissioners shall be advanced and paid to the said Commissioners out of the product of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be applied under the directions of the said Commissioners in manner aforesaid.

63.
Board of
Works, on
requisition
from Post
Office, may
repair Post
Roads.

64.
Grand Jury
shall present
sums to be
expended.

And be it Enacted, That whenever any such road or bridge, or any portion thereof not being a turnpike-road or bridge, shall be so put in good and sufficient repair, under the direction of the said Commissioners, the Secretary to the said Commissioners shall deliver or cause to be delivered to the Secretary of the Grand Jury of the said county a certificate of the amount of money which shall have been so expended upon the repair of any such road or bridge, or any portion thereof, and the other expenses aforesaid, together with an account of the items of such expenditure, certified by the said County Surveyor or other person employed; and every such certificate and account shall at the next or some succeeding presenting term be laid before the Grand Jury of any such county, and thereupon the Grand Jury shall make presentment of the amount of such expenses as stated in such certificate, to be raised off the barony or baronies in which such road shall be situate; and when and so soon as the sum so to be presented as aforesaid shall be raised and received, it shall be paid over by the Finance Committee to such bank or person as the Commissioners of Her Majesty's Treasury or any Three or more of them shall direct, or to such person or persons and in such manner as may be directed by the Paymaster of Civil Services in Ireland.

65.
Expense of
Bridges to be
defrayed in
County in
which situate.

Mode of
making Presentments.

Provided always, and be it Enacted, That wherever any bridge which shall be repaired by the said Commissioners as aforesaid shall be situate partly in the said county of Dublin and partly in another, the expense of repairing such bridge shall be borne and defrayed equally by such counties, and the certificates and presentments by this Act required shall be framed and made accordingly.

66.
Magistrates
and associated
Cess-payers
shall hold
Presentment
Sessions.

Magistrates
shall appoint
Chairman.

And be it Enacted, That it shall be lawful to and for every Justice of the Peace in and for the said county of Dublin, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble from time to time, and with the Cess-payers associated with them, as hereinafter appointed, to hold a Special or Presentment Sessions for the purposes of this Act, in such place and places, and at such time and times, within such county, as the Grand Jury shall have appointed, pursuant to the provisions hereinafter following; and at every meeting of such Presentment Sessions, whether for One district or for the county at large, the majority of the Justices then present shall choose One of their number to preside thereat, and that when only Two Justices shall be present the senior of them shall preside, and that when only One Justice shall be present such Justice shall preside; and such Chairman shall have in addition to his vote a casting voice in case of an equality of voices.

And

And be it Enacted, That it shall be lawful for the Grand Jury of the said county, and they are hereby required, at the next and at each succeeding presenting term, to appoint by presentment certain districts consisting of One or more barony or baronies for holding Presenting Sessions, and also certain places within the county, videlicet, One in each district, where, and certain times when, Presentment Sessions shall be successively holden, previous to the then next presenting term, for the purposes of this Act, as hereinafter set forth; and such presentment shall appoint the hours of the day between which such Sessions shall be respectively holden; and such presentment shall appoint the last meeting of such Sessions to be holden at the county court-house of Kilminham for the county at large; and it also shall be lawful for the Grand Jury at every such presenting term to direct by presentment what number of copies of the Schedules of applications to be made at each such Sessions shall be printed and distributed by the Secretary of the Grand Jury.

67.
Grand Jury,
each present-
ing term shall
fix districts,
places and
times for
Presentment
Sessions.

AND for the purpose of enabling the Grand Jury to prepare such list of Cess-payers as hereinafter mentioned; BE it Enacted, That every High Constable or other Collector of money levied by Grand Jury Presentment shall, on the day when the Grand Jury shall be first impannelled at each presenting term, deliver to the Secretary of the Grand Jury a return of the names and places of residence of the One hundred persons, being males of full age, if so many there be, and if not, then of the whole number of persons resident or in actual occupation of lands and tenements in each district in said county, who, not being in holy orders nor any minister of religion, and not being Justices of the Peace, shall have been charged with and shall have paid for land actually occupied by them the highest sum or sums for Grand Jury rates or cess for and in respect of any lands in such district under the last previous applotment, and that in such list he shall set forth the sum so paid by each such Cess-payer respectively, and shall classify them according to the amount paid by each, and that the Secretary shall immediately lay such return before the Grand Jury.

68.
Collectors
shall make
returns of
One Hundred
highest Cess-
payers in
each Barony
to Grand
Jury.

And be it Enacted, That every such Grand Jury as aforesaid shall at each presenting term fix and determine the number of persons, not being more than Twelve, nor less than Five, proper, with reference to the extent and circumstances of each district, to be associated with the Justices at the Presentment Sessions to be holden therein for the purposes of this Act, and shall from the return aforesaid make out a list of Double the number so determined upon of persons, with their additions and abode, who being males of full age, resident on and in actual possession of lands or tenements within such district respectively, shall, according to the return aforesaid, have paid the highest sum or

69.
Grand Jury
shall fix
number of
Cess-payers
to be
appointed
with Magis-
trates, not less
than Five, nor
more than
Twelve, for
each district;
shall reduce
list furnished
by Collectors
to Double
that number.

sums for Grand Jury rates under the last previous applotment in each such district respectively : Provided always, That at every presenting term after the *passing of this Act*, except the first, the Grand Jury shall, before they shall make out such list, strike out of the return aforesaid the names of One-half of the persons whose names appeared on the list made at the then preceding presenting term, selecting in the first instance the names of the Cess-payers who were associated and acted with the Justices at the Presenting Sessions.

70.
Shall select
persons by
lot; persons
so selected
shall, with
Justices, con-
stitute
Presentment
Sessions for
hansry or
district.

And be it Enacted, That the Grand Jury shall then cause the name of every person in such list for each district to be written upon separate pieces of parchment or card, as nearly as may be of equal size, with his respective additions and abode, which shall be put into a box for that purpose provided by the Secretary of the Grand Jury ; and the acting Foreman shall, in open court, draw out one after another such number of the said cards or pieces of parchment as the said Grand Jury may have fixed and determined to be the proper number of Cess-payers to be associated with the said Justice or Justices at each such Sessions respectively ; and such number of the said Cess-payers so first drawn shall be associated with the said Justice or Justices, and shall, with such Justices, constitute the Presentment Sessions for such district, and have and exercise jointly with such Justice or Justices all power and authority in the business of such Sessions.

71.
Secretary
shall certify
applotment
is associated
Cess-payers,
who shall
subscribe
Declaration.

And be it Enacted, That the Secretary of the Grand Jury shall forthwith signify by letter to each such Rate-payer that he has been thus chosen as a member of the Presentment Sessions for his respective district, and shall notify to him the day on which such Sessions are to be held ; and every Justice shall, previously to acting at any Presentment Sessions, whether for any district or for the county at large, make and subscribe in open court the Declaration contained in the Schedule marked No. 1, to this Act annexed ; and that every Cess-payer associated with such Justice or Justices in manner aforesaid, shall, previously to acting at any such Sessions, make and subscribe in open court the Declaration contained in the Schedule marked No. 2, to this Act annexed ; which said Declaration any one of such Justices, or the Secretary of the Grand Jury, is hereby authorized and required to administer ; and the Chairman at each such Sessions shall and he is hereby required to make out and deliver to the Secretary of the Grand Jury a list of the names of all Justices and Cess-payers who shall have made and subscribed such Declarations respectively at the Sessions where he had presided ; and every such Secretary shall from time to time, without unreasonable delay, deliver the said list and all the Declarations so made and subscribed to the acting Clerk of the Peace, to be by him preserved among the records of the same county : Provided always, That if none of the Cess-payers so chosen shall

shall attend any Presentment Sessions to be held under this Act, it shall be lawful for such Justice or Justices alone to do all matters and things authorized by this Act to be done thereat by the Justices and Cess-payers associated in the business thereof.

5 And be it Enacted, That the Justices and Cess-payers at each District Presentment Sessions shall select One of the Cess-payers for such district to be associated with the Justices of the county as a member of the Presentment Sessions for the county at large; and the Secretary of the Grand Jury shall make out a list of the persons so
10 chosen at each District Sessions, and shall read out the same previous to the appointment of the Chairman for the Presentment Sessions for the county at large; and the persons so chosen shall, together with the Justices as aforesaid, form the Presentment Sessions for the county at large.

72.
One Cess-payer shall be selected at District Sessions, and shall, with Justices constitute Presentment Sessions for County at large.

15 And be it Enacted, That all applications for works, the expense whereof it may be by such application proposed to levy off the county at large, shall be made at the Presentment Sessions to be holden for the county at large; and all applications for works, the expense whereof may be proposed as aforesaid to levy off any other barony,
20 shall be made at such Presentment Sessions as shall be holden for such barony: Provided always, That all applications for the works hereinafter mentioned shall be made at the Presentment Sessions holden for the barony in which the works included in such applications may be locally situate; (that is to say) all applications for lowering any hill or filling
25 up any hollow, on both, on any public road and for making the road thereon with stones and gravel, or for building, rebuilding, repairing, altering or enlarging any bridge, pipe, arch or gullet built of stones or bricks or wood, under or on any such road, or filling or gravelling over any such bridge, arch, pipe or gullet, or for building or repairing any
30 wall or part of a wall necessary for the support of or to prevent any steep banks of earth from falling upon any such road, or in erecting any fence, railing or wall for the protection of travellers from dangerous precipices or holes lying on the side of any public road, or for maintaining any dispensary.

73.
Applications for Presentments on Barony to be made at District Sessions for Presentments on County at large; except lowering Hills, repairing Bridges and maintaining Dispensaries.

35 And be it Enacted, That the applications for any new works which it is proposed to charge upon Two or more baronies in different Presentment Sessions Districts of the said county, but not upon the county at large, shall and may be made at the Presentment Sessions holden for the barony off which it is proposed that the larger portion of the expense of such work is to be raised, without making the same at the Presentment Sessions for each of such baronies.

74.
Presentments to be made in Barony in which larger part of the Work is situated.

75.
Applications
shall be
lodged with
High Con-
stable or
Secretary
Days
before Pre-
sentment
Sessions.

And be it Enacted, That every application to be made at Presentment Sessions shall be lodged with some High Constable of the county or with the Secretary of the Grand Jury Days at least before the day appointed for the holding of the first Presentment Sessions in such county next before each presenting term; and every High Constable with whom any such application shall be lodged, shall transmit such applications to the Secretary of the Grand Jury

Secretary
shall have
Schedule
printed, and
posted in
district.

Days before the day appointed for holding such first Sessions; and such Secretary shall keep an office open for the purpose of receiving such applications during Ten Days immediately preceding the last day upon which such applications are required to be lodged with the Secretary; and the said applications shall be open to public inspection without fee or reward; and such Secretary shall, on the receipt of each application, indorse or cause to be indorsed thereupon the time when the same is lodged, and number and arrange all such applications, as the works therein comprised may be proposed to be defrayed by the county at large, or by any barony thereof; and shall make an abstract thereof, and an index thereto, referring to the numbers which he shall mark on each application, and cause the same to be printed and distributed, and a copy thereof posted in each district; and such Secretary shall produce and deliver all the applications which shall have been lodged with him, or delivered at his office as aforesaid, at the sessions proper, as hereinbefore provided, for the consideration of the same, together with the abstract thereof and the index thereto.

76.
District Sur-
veyor may
make appli-
cation at
Sessions for
necessary
works not
otherwise
applied for.

And be it Enacted, That the District Surveyor shall examine all the applications so lodged with the Secretary of the Grand Jury as aforesaid; and in case no application shall have been made for the necessary surface repairs of any public road or footpath, or the keeping open of any drain adjoining any public road, or any other public work which to the said Surveyor shall appear necessary, it shall be lawful and he is hereby required to make application for the same in the manner hereinafter appointed at the next Presentment Sessions to be holden for the county at large, or barony by which the expense of such work ought to be defrayed; and it shall not be necessary for the said Surveyor to lodge any application made by him with the Secretary of the Grand Jury, but such application, being delivered to the Chairman at such Sessions, shall be dealt with thereof in all respects in the same manner as the other applications which shall have been lodged with the Secretary of the Grand Jury.

77.
Manner and
form of appli-
cation.

And be it Enacted, That every application to Presentment Sessions for any presentment, other than a public work, shall be made by or on behalf of the person or persons requiring such presentment; and every application to any such Sessions for any public work shall be made by Two persons paying Grand Jury Cess, or by the District Surveyor;

Surveyor; and every application to Presentment Sessions, whether for a public work or any other purpose whatsoever, shall set out the title to the Act, authorizing such presentment, with the year of the King's or Queen's reign, Chapter and Section, as printed by Her Majesty's Printer, and shall specify the probable expense of the proposed work, and whether the money proposed to be raised thereunder is to be levied off the county at large, or some or what barony or other denomination of land thereof, and shall be made in some one of the Forms contained in the Schedule annexed to this Act, and marked Schedule No. 3, No. 4, No. 5, No. 6, and so forth, when any of such Forms shall be found fitting and suitable; and every such application shall be signed by the person or persons by whom the same shall respectively be made, with his or their own proper hands; and it shall not be lawful, save as hereinafter provided, for the Secretary of the Grand Jury to receive any application which shall not have been made in manner and form herein appointed.

And be it Enacted, That at each Presentment Sessions, to be holden as hereinbefore provided, the Justices and Cess-payers associated in the business of such Sessions shall take into consideration all such applications as may be laid before them in manner aforesaid, and examine into the posting or serving of the notices of all such applications, when a notice shall be necessary, and into the merits of such applications, and the conformity thereof with the provisions of this Act; and the said Justices and Cess-payers shall, after such examination, decide by majority of voices upon every such application, and whether the same ought to be adopted or rejected, and whether wholly or in part, or conditionally in the event of the expense thereof not exceeding a certain specified sum, and what modification thereof, if any, may be proper; and if such Justices and Cess-payers shall approve of any proposed work, either wholly or in part or conditionally, or of any modification thereof, they shall, where necessary, save in the case of applications hereinafter otherwise provided for, direct the Surveyor to prepare a proper form of tender for the execution of the same, together with such specifications, maps, plans, sections or elevations as may be necessary, expressing the nature and extent of such works, and, if the Sessions shall so direct, the quantity per perch and the description of the materials proper to be employed in performing and executing the same, and the term within which such work ought to be completed, and such other particulars as said Justices and Cess-payers shall think fit; and such Chairman shall indorse all applications accordingly, which shall be adopted and approved, and sign his name thereto, and deliver all such applications so indorsed to the Secretary of the Grand Jury; and such Surveyor shall deliver such form of tender, specifications, maps, plans, sections or elevations in respect of the work to which each application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary

78.
Applications
shall be con-
sidered and
decided on at
Sessions.
Sessions shall
then adjourn
to some day
not sooner
than Days
after Fixing
Day of Rec-
serving Term.

of the Grand Jury; and the said Justices and Cess-payers shall adjourn such Sessions until some day not sooner than Days after the
 Fixing Day of the then ensuing presenting term.

79.
 Mode of presenting &
 Sessions refuse to
 approve of
 necessary
 work.

And be it Enacted, That in case the Justices and Cess-payers at two successive Presenting Sessions shall refuse to approve of any applications made for any public work, it shall be lawful for any of the persons who made application at such Sessions for such work to present a Memorial to the Judges of the Court of Queen's Bench at the presenting term for the county, stating such application and the disapproval thereof at the Presenting Sessions, and praying that the Judges may direct the Grand Jury to make a presentment for such work; and such Memorial shall be lodged with the Secretary of the Grand Jury at least *One Month* before the First day of such presenting term, and a copy thereof shall be served on each of the Chairmen at such Presenting Sessions at least *One Month* before the First day of such term; and the person presenting such Memorial shall also cause to be inserted in some newspaper published or circulated in the county, notice of his intention to apply at the next presenting term for such order; and such notice shall be published at least *Three* times before the First day of such presenting term; and upon proof that such Memorial and notices were served and published as hereby required, it shall be lawful for the Judges of the Court of Queen's Bench or any of them to cause a Jury to be impannelled to try and inquire whether such work is a proper one to be executed, and if so to ascertain and state the expense thereof; and if the Jury shall find that such work is a proper work to be executed, it shall be lawful for the Judge, if he shall think fit, to direct the Grand Jury to present that such work shall be done either for the sum stated by the Jury to be sufficient for the execution thereof, or such lesser sum as they shall think proper, or to refuse to make such presentment: Provided always, That no such Memorial shall be proceeded upon unless the Memorialist shall, at the time of lodging such Memorial with the Secretary, deposit with him the sum of *Twenty Pounds* as a security for such costs and expenses as the Judge shall direct to be paid thereout to any person or persons who may appear to oppose such application, or any witness summoned to attend on the hearing of the application.

80.
 Sessions may
 approve of
 contract for
 Seven Years.

AND in order to lessen the expense of keeping public roads in repair, and to obviate the necessity of making frequent applications to Presentment Sessions; BE it Enacted, That whenever any application shall be made in the manner hereinbefore provided for gravelling or repairing with small stones any public road, or for keeping open the drains on the side of any public road, or for gravelling or repairing any footpath on the sides of any such road, or for repairing the battlements of any bridges upon any such road, the Justices and Cess-payers associated in the business of such Sessions shall

shall consider whether it may not be proper to contract for keeping such road or footpath in repair; and if they shall be of that opinion, they shall fix and determine the period, being not more than *Seven* Years, for which it is expedient that a contract should be made for that purpose; and the Surveyor shall insert such period in his specification and form of tender for such works.

Provided always, and be it Enacted, That in case any person who shall have signed any application in pursuance of this Act shall die or be prevented by sickness or any unavoidable necessity from appearing at such Sessions, it shall be lawful for the Justice or Justices and Cess-payers thereto, or for the Grand Jury, to examine any other person or persons who shall have knowledge of the matter, and to decide upon such application, any thing herein contained to the contrary notwithstanding.

81.
In cases of absence or death of party making the application, Justice to decide.

And be it Enacted, That so soon as may be possible after the Presentment Sessions shall have been holden at all the places and times appointed therefor in such county, the Secretary of the Grand Jury shall prepare and make Schedules of the contents of all applications, save and except the applications to be certified as hereinafter provided, approved of wholly or in part, and which may have been delivered to him for such purpose by the Chairman at such Sessions, including in one Schedule all such applications for works proposed to be charged and raised on the county at large, and in other separate Schedules (videlicet, One for each barony) all such applications for works proposed to be levied upon each barony, arranging all such applications in alphabetical order, and noting on the face of each Schedule the particulars of the decision of the Presentment Sessions on each application; and such Secretary shall forthwith cause copies of such Schedules to be printed and distributed in such manner as shall have been authorized and directed by Grand Jury Presentment at the presenting term immediately preceding; and the said Secretary shall deliver a copy of such Schedules to the High Sheriff of the county for the time being, and to each Surveyor, and shall on the day when the Grand Jury shall be next impanelled as hereinafter directed, deliver One Copy of the said printed Schedules, together with the several printed applications, with any specifications, maps, plans, sections or elevations of the works to which such application shall relate, which shall have been prepared by the Surveyor, annexed thereto, to the Foreman of such Grand Jury, and shall also deliver another copy of the said Schedules to the Judges of the Court of Queen's Bench; and the said Secretary shall keep another copy of the said Schedules in his office, for the inspection of the public, during *Three* complete Days at least immediately before the day when such Grand Jury shall be first impanelled, as hereinafter provided.

82.
Secretary shall have Schedules of approved applications printed, and shall lay same before Grand Jury

83.
Grand Jury shall consider applications, and make or refuse Pro-

And be it Enacted, That the Grand Jury shall, upon being impanelled and sworn as aforesaid, forthwith proceed to transact in open Court all such business relating to presentments for raising money, public

presentment
thereupon,
fixing amount
and time for
execution of
works.

public works, contracts, or the fiscal concerns of the county, as may be appointed for them, and to consider and decide upon all applications which shall be made for presentments as hereinbefore provided, in the order in which the same shall be entered in the Schedules to be prepared as aforesaid, beginning with the applications for works to be defrayed by the county at large, altering, where they may deem it necessary, the amount or time for executing each work, and examining all maps, plans, estimates and specifications relating to each application; and the said Grand Jury shall be attended by their Secretary and by the District Surveyors, and shall hear, and receive and direct to be read aloud in open Court the several reports and certificates of any such Surveyor, and shall have power and authority at their discretion to receive and obtain all legal and pertinent evidence which shall be tendered to them for or against the making any presentment, or in anywise relating thereto, or concerning any public work, or the execution of the same, if made wholly or in part at the expense of the county, or any portion of the county, or any contract of or in respect of any of the matters aforesaid; and shall make presentments for all matters and things hereby directed to be presented for specifying in all presentments for county works the maximum amount which shall be raised for the execution of such work, and whether such amount is to be raised off the county at large, or off any barony or parish thereof, as the case may be; and the said Grand Jury shall sit *de die in diem* until all the business which may come before them of the nature hereby described be despatched; and if the whole of such business shall be concluded before the day appointed for fixing the presentments, then the said Grand Jury may adjourn to such day; and every Grand Juror who shall not attend pursuant to such adjournment may be fined by the Judge for such non-attendance, in any sum not exceeding *Two Pounds*, at the discretion of the said Judge.

84.
Grand Jury
shall not
make Present-
ments, unless
an application
approved of
at Sessions,
except in
cases of sud-
den damage.

And be it Enacted, That it shall not be lawful for any Grand Jury of the said county, any law, usage or custom to the contrary notwithstanding, to make a presentment for any public work whatsoever, or for raising any money, for which an application shall not have been made and approved at Sessions, either wholly or in part, as hereinbefore provided, save and except such presentments as may be herein specially excepted, and also save and except such presentments as may be necessary for the immediate repairs of sudden breaches or damages in roads, bridges, gulleys, walls or buildings, which have happened so recently as not to admit of the proper applications having been made in manner before provided; which fact, together with the necessity for the immediate execution of such repairs, shall be proved before the Grand Jury upon oath; and in such case, although such application as aforesaid shall not have been lodged or approved as aforesaid, such Grand Jury shall nevertheless have power and authority to present for such repairs

repairs any sum of money in such case necessary, and to authorize and empower any of the District Surveyors to advertise for contracts for the execution of such work, such contracts to be laid before the next District Sessions, or to execute such works, and account for the execution to the Finance Committee, as to such Grand Jury shall seem fit; and the Finance Committee of the county shall out of any monies to their credit, available to the general purposes of the county, advance to such Surveyor from time to time the monies, not exceeding the sum presented for such repairs, which may be required therefor; and such monies so advanced shall be replaced by the monies raised and levied under the presentment which the Grand Jury have been hereinbefore authorized to make for such purpose.

And be it Enacted, That the Secretary of the Grand Jury shall, immediately after the sitting day of each presenting term, upon being furnished by each Surveyor with the specification or form of tender for the execution of any such work as aforesaid, and the maps, plans, sections and elevations belonging thereto, notify by public advertisement or otherwise, in such manner as the Grand Jury shall have directed, his readiness to receive sealed tenders and proposals for the execution of such work, during such period as shall have been appointed by the same authority for the reception of the same, and the time to which such Sessions has adjourned, for the opening of such tenders and proposals, and that forms thereof may be obtained at his office or elsewhere; and such Secretary shall accordingly cause to be printed and prepared a sufficient number of forms of such tenders and proposals, and furnish to any person who shall demand the same a copy thereof, receiving therefor the reasonable cost of preparing the same, not exceeding the sum of Sixpence; and also take such other means as the Grand Jury shall direct for placing such forms within reach of persons who may have occasion to use them; and each of such tenders and proposals shall be returned to him sealed, or in an envelope, and shall contain a statement of the lowest sum for which the party making such proposal is willing to contract for the performance of the work or works specified and described in such notification, and shall be subscribed with the name, description and residence of the party so desirous to enter into such contract, and also the names, descriptions and residences of not less than Two sufficient persons willing to be bound jointly and severally with him for the due and faithful performance of the said contract, within the time and in the manner thereby prescribed, in a penal sum double the amount of the said sum mentioned in such tenders and proposals, if the said sum shall not exceed *One thousand Pounds*, but if such shall exceed *One thousand Pounds*, then in a penal sum exceeding the sum mentioned in such tenders and proposals by *One thousand Pounds* in addition thereto; and all maps, plans, sections and specifications relating to

85.
Secretary shall have
Abstracts of
Paired Presentments
printed, and
Tenders for
Contracts advertised
for.
Tenders shall
be delivered
in sealed
envelopes.

any such work prepared by the Surveyor, shall be open to public inspection in the office of such Secretary, without fee or reward.

86.
At adjourned
Sessions Ten-
ders shall be
opened and
dealt with.
If no Tender
or Proposal
approved of
by Sessions,
work may be
given in
charge to
District
Surveyor.

And be it Enacted, That at the meeting of each such adjourned Presentment Sessions as aforesaid, the Secretary of the Grand Jury shall in open court produce, duly numbered and arranged, and with the seals unbroken, all the tenders and proposals which may have been delivered to him, and shall open consecutively all those relating to the same public work; and so soon as the lowest proposal made for the performance of each such work shall be ascertained, the party making such proposal, and his surety, shall be called; and if the said party and his sureties shall appear, and shall satisfy the Justices and Cess-payers at such Sessions, upon oath or otherwise, of the sufficiency and ability of each and every of them to answer and make good the penalty hereinbefore specified for the non-performance of such contract, and that such proposal has not been made for any unfair or fraudulent purpose, and shall thereupon enter into security for the due performance of such contract, conditioned in such penalty as aforesaid, in the form set forth for that purpose in the Schedule No. 13, such proposal shall be accepted, and the party making the same shall be declared entitled to execute the work to which such proposal may refer, unless there shall appear some reason for rejecting it; but if the party making such proposal, and his sureties, shall not appear when called, or shall fail to satisfy the Justices and Cess-payers at such Sessions in any of the particulars aforesaid, or shall decline to enter into such security as aforesaid, or if the Presentment Sessions shall see cause to reject it, then and in such case the proposal of the party making default as aforesaid, shall be deemed null and void to all intents and purposes whatsoever, and the next lowest proposal shall be ascertained and dealt with in the same manner, and so on till the said security shall be entered into, and the contract duly completed: Provided always, That if no proposal shall be made in respect of any work within the time limited for receiving such proposals, it shall and may be lawful for the said Presentment Sessions, if they think proper, to give such work in charge to the District Surveyor, with power to expend a sum not exceeding the maximum fixed as aforesaid; and such Surveyor shall cause such work to be executed, and shall account for the execution thereof to the Finance Committee in manner hereinafter directed.

87.
Form of
Security.

And be it Enacted, That such security so to be entered into by Contractors under this Act, and their sureties, shall be a recognizance to Her Majesty, Her heirs and successors, and of like force, validity and effect as other recognizances made to The Queen's Majesty; and at such adjourned Presentment Sessions any Justices present, or the Chairman, are and is hereby authorized to take such recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent delay; and the expense of preparing the same,

attend the meetings of the Finance Committee, and shall act as their Secretary, and make minutes of their proceedings, and render them such assistance from time to time as they may direct.

91.
District
Surveys shall
appoint Road
Wardens.

And be it Enacted, That the Justices and Associated Rate-payers at each adjourned District Presentment Sessions, shall appoint Two fit and proper persons to act as Road Wardens for such district, until the next adjourned District Presentment Sessions, or until others shall be appointed for such district; and it shall be the business and duty of such Road Wardens, within their respective districts, to examine into and report upon the state of the roads and other county works, whether in progress of repair or otherwise, to the Presentment Sessions, to the Grand Jury and the Finance Committee, and to abate nuisances, and prosecute persons guilty of any offence against this Act.

92.
Chairman
of each
adjourned
Presentment
Sessions shall
certify
amount pay-
able to each
Contractor or
other person.

And be it Enacted, That immediately before the closing of each adjourned Presentment Sessions, whether for any district or for the county at large, the Secretary of the Grand Jury shall prepare a list of the sums payable to each Contractor, with a statement of the nature of the contracts entered into at such Sessions, and setting forth likewise the amount which any District Surveyor may be authorized at such Sessions to expend upon any road or work; and the Chairman shall certify the accuracy of the same by his signature; and such Lists, so certified, shall be laid before the Finance Committee, at their first meeting, and a copy thereof shall be entered on the Minutes, together with a copy of all other presentments made by the Grand Jury, and filed by the Court under the authority of this or any other Act, and of the names of the persons in whose favour such presentments may have been made; and it shall be lawful for the Finance Committee from time to time, and as the funds of the county admit, to make orders for the payment of all persons entitled to payment under presentments of the Grand Jury made by the authority of this or any other Act; and every order shall be signed by the Chairman for the time being of the Finance Committee, and Two other Members thereof, and countersigned by the Secretary of the Grand Jury, and by him delivered to the person entitled to the same.

93.
Contractors
desirous of
payment shall
give notice to
District
Surveyor and
Road
Warden.
Finance Com-
mittee on
being satisfied
as to execu-
tion of work
may give
order for
payment.

And be it Enacted, That any person who may contract for the execution of any work under this Act, shall on the completion of such work, or whensoever, by the terms of such contract, he may be entitled to payment, give notice in Form, Schedule No. 11, to the District Surveyor, and also to One of the Road Wardens, Ten Days at the least before the day appointed for the next meeting of the Finance Committee, of his intention to make application for payment, and to require such District Surveyor or Road Warden to examine and report upon the execution of such work or performance of such contract; and such Contractor shall also lodge with the Secretary of the Grand Jury, Ten Days at least

least before the next meeting of the Finance Committee, a Notice in the Form of Schedule No. 12, of his intention to apply for payment; and the Secretary of the Grand Jury shall arrange all such notices, and annex to each the number by which the contract in respect whereof such notice or certificate may be given is distinguished in the book of Abstracts, which such Secretary is hereby directed to keep, and indorse on such notice the date of the lodgment of the same; and such Secretary shall lay all such notices before the Finance Committee, who shall examine into all such applications for payment, and inspect the notices and certificates, and examine the District Surveyor or Road Warden, and all other persons whom they may think it necessary to examine for the purpose of ascertaining the due execution of the work or matter contracted for; which examination may be upon oath in cases in which the Finance Committee deem it necessary or advisable; and the Chairman of the Finance Committee is hereby authorized to administer the oath; and the said Finance Committee, upon being satisfied that the party so applying is justly entitled to payment, may give an order for the payment of the whole or such portion of the sum, in consideration whereof the contract may have been made, as they shall deem just and right.

And be it Enacted, That if at any time the Finance Committee shall refuse to order payment to the Contractor according to the terms of his contract, or to any other person engaged in the execution of any county work under the authority of this Act, and who, on the due execution thereof, would be entitled to such payment, they shall set forth the grounds of such refusal; and if such Contractor or other person shall feel himself aggrieved thereby, it shall be lawful for such person to present a memorial to the Judges of the Court of Queen's Bench at the next presenting term, stating the terms of his contract or the circumstances of his case, and the refusal by such Finance Committee to order payment, and praying that the Judges may direct the Grand Jury to cause inquiry to be made into the facts stated in such memorial; and such memorial shall be lodged with the Secretary of the Grand Jury, at least *One Month* before the First day of such presenting term; and such Secretary shall make known the same to the Finance Committee; and upon proof that such memorial was so lodged, it shall be lawful for the Judges of the Court of Queen's Bench, if they shall see reason so to do, to direct the Grand Jury to make inquiry into the allegations contained in such memorial; and if the Grand Jury after such inquiry shall be satisfied that the work was duly and properly executed, at the time when the order for payment was so refused by the Finance Committee, it shall be lawful for such Grand Jury to order the payment of such sum, not exceeding the amount of the contract, as to them shall seem just and proper; and it shall be lawful for the Finance Committee, at their next meeting, and they are hereby required, on a copy of the presentment for such payment being

94.
If Finance
Committee
refuse pay-
ment, Con-
tractor may
appeal.

produced, to sign an order for the amount specified in such presentment: Provided always, That no memorial shall be proceeded upon unless the memorialist shall, at the time of lodging such memorial with the Secretary, deposit with him the sum of *Ten Pounds*, as a security for such costs and expenses as the Judges may direct to be paid thereout to any person who may appear to oppose such application, or any witness summoned to attend on the hearing of the application.

95.
Finance Committee, Ten Days before each Presenting Term, shall make up Half-yearly Accounts of County, and each Barony Accounts shall be audited.

And be it Enacted, That *Ten Days* at least previous to the commencement of each presenting term a special meeting of the Finance Committee shall be called by the Secretary, for the purpose of making up the county accounts for the preceding half-year, and a separate account shall be kept for each barony, and a statement shall be made of the sums not paid on account of presentments, and of the amount not received on account of the assessment upon each barony; and the accounts when made up shall be signed by the Chairman of the Finance Committee, and shall be laid before the Grand Jury on the First day of the then ensuing presenting term; and a copy or abstract thereof shall be printed with the abstract of presentments: Provided always, That the accounts of the Finance Committee shall be transmitted by the Secretary to the proper office, and shall be examined and audited in the same manner and subject to the same regulations as the accounts of County Treasurers, under and by virtue of an Act passed in the first year of Her present Majesty's reign, intituled, "An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in Ireland account for Public Monies, and to secure the same."

1 Viet. c. 54.

Mode of raising County Rate.

96.
Clerk of Crown, within Seven Days after hee, shall make out List of Presentments

And be it Enacted, That the Clerk of the Crown for the said county of Dublin shall, within *Seven Days* after the fixing day of each presenting term, deliver to the Secretary of the Grand Jury, without fee or reward, a copy, attested upon oath, and signed by himself, of all presentments which have been made and fixed at such presenting term, and likewise copies of all queries discharged and remaining undischarged, distinguishing the same; and the Secretary of the Grand Jury shall, from such copy, forthwith make out an estimate of the amount to be raised in each barony and parish in the county, under the authority of the Baronial Presentments made during such presenting term, and also of the amount to be raised upon each such barony and parish respectively, to defray its proportion of the general county charges under the authority of the presentments upon the county at large made during such term, and shall lay the same before the Finance Committee at their first meeting; and the Finance Committee shall consider and revise such estimate, and shall then declare and strike the amount to be

Finance Committee shall ascertain pro-

be levied off each barony and parish, as well on account of the baronial charges as upon account of charges upon the county at large.

parties to be
raised upon
each Barony.

AND whereas a valuation of the county of Dublin is now in progress under the provisions of an Act passed in the sixth and seventh year of his late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland;" but it is necessary to make provision for the apportionment of the county charges upon each barony, and of the baronial charges upon each parish in the said county, until the period when such valuation shall be completed; BE it Enacted, That, for the purpose of enabling the Finance Committee to make such apportionment, the county of Dublin shall be considered as divided into One hundred and ten thousand Six hundred and twenty-nine parts of equal value, of which each barony and parish shall be considered as containing the numbers as attached to them respectively in the Schedule hereunto annexed, marked

97.
Diall Valuation under 3 & 4 Will. 4, shall be completed, apportionment of baronial charges shall be according to Schedule.

Provided always, That nothing herein contained shall authorise or empower the Finance Committee to make or apportion the county charges according to the annexed Schedule for any longer period than until the survey and valuation under the said Act, or any Act to amend the same, shall be completed, and a copy thereof inserted in the Dublin Gazette as directed in said Act; and that from and after the first day of the presenting term next following such publication, all county cess charges whatsoever, and all Grand Jury charges or rates imposed or to be imposed on the said county of Dublin by presentments of the Grand Jury, or to be raised off such county or any barony, parish or townland thereof, and all parish rates imposed or to be imposed, or levied or to be levied, under the authority of any Act or Acts, shall be assessed and levied off such county, and off every barony, parish or townland therein, according to the proportions specified in such Act; any law, usage or custom, or any former assessment or valuation, to the contrary in anywise notwithstanding.

And be it Enacted, That the Finance Committee, having duly ascertained the proportion of the county charges to be raised upon each barony and parish, shall issue their warrant, under the hand and seal of the Chairman of the committee, and countersigned by the Secretary of the Grand Jury, to the several Collectors for levying and collecting the sums to be raised off each parish, which warrant shall set forth the amount to be raised off each parish, with any uncollected arrears of the last warrant, and shall remain in force and effect for the term of Two Years next after the date thereof, notwithstanding the death, resignation or removal of the person to whom it was addressed;

98.
Finance Committee shall issue warrant to Collector. Collector shall convene meeting to appoint Appraisers. If no appointment made within Thirty-six Days, Collector shall levy according to last appointment.

and shall authorize any Collector for the time being to execute the same, unless the sums required by such warrant to be levied shall have been received, or unless the Grand Jury shall have re-presented the same; and the person to whom such warrant is directed shall, within *Ten Days* after he has received the same, deliver or send to the Seneschal or Churchwardens of each manor, parish or denomination of land contained in such warrant, or in case there be no Seneschal or Churchwarden of the same, then to any principal or residing inhabitant, if he shall be required so to do by any *Two Landholders* of any such manor, parish or denomination of land, or if he shall deem it necessary so to do, an account in writing signed by himself of the sum he is required by the said warrant to levy upon the said manor, parish or denomination, and to desire that the sum may be apportioned thereon, and every person who shall receive such account is hereby required, under the penalty of *Ten Pounds*, to be recovered by civil bill by any person who shall sue for the same, to post up within *Six Days* after the receipt thereof, on the door of the Church or the usual place for posting notices in said manor, parish or denomination, a notice signed by himself, setting forth that the landholders and inhabitants of (here insert the name of manor, &c.,) are hereby required to meet at (place of meeting,) on the (here insert a day not less than *Ten Days* or more than *Twenty* from the date of such notice), to choose *Two* or more persons to apportion the sum of (here insert the sum) required to be levied upon such manor, parish or denomination by the warrant of the Finance Committee of the county; and at such meeting the landholders and inhabitants then present shall choose *Two* or more persons to be apportioners; and the persons so chosen shall, within *Thirty Days* from the time they shall be so chosen, apportion the sum so to be levied upon such manor, parish or denomination, fairly and justly, according to the relative annual value of the several subdivisions of the lands and tenements therein contained, stating as accurately as they can the name of the occupier of each portion of such lands; and shall make oath before any Justice of the Peace for such county that they have made the said apportionment justly, according to the best of their skill, without favour, affection or malice; the jurat of which oath shall be indorsed on the apportionment; and such apportioners shall deliver such apportionment, so verified upon oath, to the person empowered to collect such Grand Jury Cess, under the penalty of forfeiting for every day they shall omit to deliver the same, after the said *Thirty Days*, the sum of *Ten Shillings*, to be recovered by civil bill by any person who shall sue for the same; and the Collector, on receiving such full and sufficient apportionment, is hereby required and authorized to levy the said money according thereto; and in case no full and sufficient apportionment shall be returned within *Thirty-six Days* after the time fixed for the appointment of the apportioners, then in such case it shall be lawful

lawful for such Collector to levy the full sum required by the warrant off such manor, parish or denomination, according to or in the like proportions as the sum levied under the last previous applotment of such manor, parish or denomination, or according to the rate or applotment pursuant to which it was paid or levied.

And be it Enacted, That every person duly authorized to levy any Grand Jury Cess off any barony, as soon as he shall have received the applotment of such Cess, shall forthwith proceed to collect and levy the same according to such applotment, and such money may be levied by distress and sale of any goods and chattels of every person refusing to pay the proportion therein applotted for him or her to pay, which may be found on the premises chargeable, rendering to the owner the overplus, if any, after deducting the expenses of distraining, not exceeding Twelve-pence in the Pound on the sum for which such distress may have been made; or in case the Collector shall not think it expedient to proceed by distress, then and in such case such Collector shall leave at the dwelling-house of the party chargeable for or in respect of such premises a notice, bearing date the day and year of serving the same, subscribed with the name and name of such Collector, requiring payment of the sum applotted within Six Days from the date of such notice, and expressing that within Six Days the money demanded may be paid to the Collector at his house or office; and if such money be not so paid within such time, then it shall be lawful for such Collector to prefer a complaint to any Justice of the Peace for the county in which the party may reside, and such Justice shall summon the party so complained against to appear before him and answer the said complaint, and shall, at the time specified in such summons, examine into the matter of such complaint on oath (which oath the Justice is hereby empowered to administer), and shall direct the payment to such Collector of such money as he shall find due and payable under such applotment by the party complained against, together with a sum certain as and for such reasonable costs and charges as to such Justice shall seem meet; and in default of the appearance of such party, or upon his or her refusal or neglect forthwith to pay the sum or sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace for the county, to issue his warrant, authorizing and empowering the said Collector to levy the money thereby ordered to be paid by distress and sale of the goods or chattels of the party so complained against, which may be found within any part of such county, rendering the overplus, if any, to him or her, the necessary charges and expenses of distraining being thereout first deducted as directed by such Justice; and if sufficient distress cannot be found within the same county, then, on oath thereof made before any Justice of the Peace of any other county in which any of the

96-
Grand Jury
Cess may be
levied by dis-
tress, or Col-
lector may
summon be-
fore Justice.

goods and chattels of such party shall be found, (which oath such Justice shall administer and certify, by indorsing in his handwriting his name on the warrant granted to make such distress), the goods or chattels of such party so refusing or neglecting to pay as aforesaid shall be subject and liable to such distress and sale in such other county where the same may be found, and may, by virtue of such warrant and certificate, be distrained and sold in the same manner as if the same had been found within such first-mentioned county. 5

100.
Cess shall be paid by person in occupation when levy made.

And be it Enacted, That the sum or proportion of Grand Jury Cess to be raised off each barony under the warrant of the Finance Committee duly apportioned for any person to pay, shall be a charge upon the lands and premises mentioned in such warrant and apportionment, and shall be paid and payable by the person or persons occupying the premises respectively at the time such Cess is levied thereout, although such person or persons did not occupy the same at the time such Cess was imposed; and, when the sum payable by any person or persons does not exceed *Fifty Pounds*, may be sued for by civil bill, in the name of the Collector, before the Chairman of the Sessions of the county of Dublin, or Assistant Barrister having jurisdiction to hear and determine causes by civil bill, in the county, place or district in which the person liable to pay the same resides. 15 20

101.
In Baronies of Rathdown, Dublin and certain parts of Uppercross and Newcastle, Grand Jurors may present sums on Rates.

And be it Enacted, That until such survey and valuation shall be completed, and such publication as aforesaid, but not longer, it shall and may be lawful to and for the said Grand Jury of the county of Dublin, at each presenting term, to present, to be raised on each of the several houses in the barony of Rathdown and Dublin, and in those parts of the baronies of Uppercross and Newcastle which are situate on the east side of the road from Ballynacorney to Tallaght, and on the south-east side of the Blessington road from Tallaght to Dublin, save as hereinafter excepted, and to be paid and payable by the occupiers of such houses respectively, such sum or sums of money as to such Grand Jury shall seem just and proper, not exceeding *One Shilling* for every pound of the yearly value thereof, such yearly value to be ascertained, subject to the limitation and in manner hereinafter mentioned, and the same or any part thereof to be applied and expended exclusively in the making and repairing of the roads and public footways in the said barony of Rathdown and Dublin, and the said parts of the baronies of Uppercross and Newcastle respectively, which are situate on the east and south-east side of the said roads, and as the same shall be presented by the said Grand Jury, and according to the form and effect of the respective presentment which shall be passed for that purpose. 30 35 40

And

And be it Enacted, That in order to ascertain the several houses which shall be liable to pay and to be assessed for the purpose aforesaid, and in order to ascertain the value of the same, and at what rate they shall be so assessed, the Finance Committee shall issue their precept or warrant to the Churchwardens of the several parishes or unions which, or parts of which, are situate in the said barony of Rathdown or Dublin, or in the said parts of the barony of Upper-
 5 cross or Newcastle as aforesaid, as soon as they conveniently can, or as soon after as they shall be thereunto required by any Two Landholders residing in the said barony of Rathdown or Dublin, or of Uppercross
 10 and Newcastle respectively, thereby requiring the said Churchwardens in a public meeting of householders, to be called for that purpose within *One Month* after the delivery of the said warrant, to cause Two persons residing within the said parish or union who respectively
 15 occupy a house of at least the yearly value of *Twenty Pounds* Irish currency, or are possessed of a freehold or leasehold estate of at least the yearly value of *Fifty Pounds* per annum Irish currency, within the barony of Rathdown or Dublin, or within the said part of the baronies of Uppercross and Newcastle respectively, to be elected and appointed
 20 as Valutors, and that such Valutors shall thereupon proceed to value the houses in said parish or union, according to the fair, reasonable and just yearly value thereof, and shall make out and certify a list of such valuation, and hand over the same to the Churchwardens within *One Month* after such nomination or appointment; and shall make oath before
 25 any Justice of the Peace of the said county of Dublin, which oath any Justice is hereby empowered to administer, that they have made the said valuation or applotment fairly and justly, according to the best of their skill and judgment, without favour, affection or malice to any person, and which oath shall be recorded on the back or at the bottom
 30 of such list; and the said Churchwardens shall thereupon call another meeting within *Fourteen Days* after receiving such valuation, for the purpose of confirming, altering or amending the same; and the meeting so called is hereby empowered to hear all parties who shall object to the said valuation or appointment, and for that purpose shall adjourn
 35 from time to time, and to make such alterations and amendments as to them shall seem just and reasonable, and then finally ascertain and settle the same; and the Churchwardens shall then return the said valuation so confirmed, altered and amended, with the said warrant annexed thereto, to the Secretary of the said county, to be kept
 40 among the records thereof.

102.
 For ascertaining value of houses, Valutors shall be appointed at meeting of householders; at another meeting Valuation may be revised; when settled, shall be handed to Secretary.

And be it Enacted, That it shall be lawful to and for the Grand Jury, at any presenting term, as often as it shall appear to them necessary that a new valuation, or a re-valuation, should be made of any house or houses in the said barony of Rathdown or Dublin, or within the said parts of the baronies of Uppercross and Newcastle,

103.
 Grand Jury may order new Valuation. No house to be valued of less value than Ten Pounds,

or at a higher
rate than
Fifty Pounds
a year.

either by the increase or decrease of houses in said baronies, to direct the Finance Committee, by their requisition in writing, to issue a precept or warrant to the Churchwardens of the several parishes or unions situate therein, thereby requiring the said Churchwardens to have Valuers appointed in the manner hereinbefore directed with respect to such first valuation; and such Valuers shall proceed to value such houses as may have been built since the former valuation, or to re-value any house or houses which may have been valued, or any previous valuation; and the said Valuers shall and may from time to time, upon such re-valuation of any of the said houses, if they should deem it expedient so to do, and are hereby authorized to alter, modify, correct and amend any former valuation or valuations made thereof, either by increasing, diminishing or omitting any house or houses which may have been heretofore valued in the said barony: Provided always, That the said Valuers so to be appointed from time to time for the purposes aforesaid, shall be persons each residing in the said baronies, and each occupying a house of the yearly value of *Twenty Pounds*, or possessed of a freehold or leasehold estate of at least the yearly value of *Fifty Pounds*, and so according to the lists, valuation or re-valuation of the said house or houses, to be made from time to time by the said Valuers, and handed over to the said Churchwardens of the several parishes or unions, verified by the said Valuers, and confirmed in manner hereinbefore required and directed with respect to such first valuation, the said house and houses, and the occupier or occupiers thereof respectively shall be rated and charged: Provided also, That, in making such valuation or re-valuation, the said Valuers shall not value any house which is not of the yearly value of *Ten Pounds* Irish currency, nor shall they value any house at a higher rate than *Fifty Pounds* a year; and that they, the said Valuers, shall leave out of their valuations all such houses as shall appear to them to have fallen into a state of decay, and are not of the value of

104.
If Meeting
falls to
appoint
Valuers,
Churchwardens shall do so; if Churchwardens neglect, Finance Committee shall do so.

And be it Enacted, That in case the inhabitants of the said parishes at any such meeting shall neglect or omit to attend, or to appoint such Valuator, within *Five Days* from the day so appointed for the holding of such meeting, then and in every such case the Churchwardens in their respective parishes shall and they are hereby empowered and required, from time to time hereafter, within *Ten Days* after the day appointed for holding said meeting, to appoint Valuers, duly qualified as aforesaid; and in case any such Churchwarden shall neglect or omit so to do, he shall forfeit the sum of _____; and the Valuers so appointed by such Churchwardens are hereby empowered and required to make such valuation in the like manner, and subject to the like penalties, as if they had been appointed at any such meeting; and in case the Churchwardens shall neglect or omit to appoint such Valuers, or that there be no Churchwardens in any such parish,

parish, then and in that case the Finance Committee shall appoint Valuers; and such Valuers so appointed are hereby empowered and required to make such valuation in the manner and subject to the like penalty as if they had been appointed at any meeting; and it shall be lawful for the Grand Jury, at the next presenting term, to present such sum as they may think fit, as a compensation for the Valuers so appointed by the Finance Committee, to be levied and raised on the respective parishes in which such omission or neglect shall take place.

And be it Enacted, That it shall be lawful to and for the Grand Jury of the said county of Dublin, at each presenting term, to strike out of any List or Lists which may be laid before them, of any houses valued as aforesaid in the said baronies, such house or houses in such lists as shall appear to them, upon evidence, to be in a state of decay, or in any way unfit to be valued; and that the said Grand Jury shall order and direct the Finance Committee not to include such house or houses in any warrant to be issued by them for levying any tax thereout as hereinbefore directed, without further directions from the Grand Jury of the said county, at either of the presenting terms for that purpose given.

105.
Houses in decay may be struck out of List by order of Grand Jury.

And be it Enacted, That whenever and as often as it shall appear to the said Grand Jury at such presenting term, that any house or houses which shall or may have been valued or re-valued, have been *bonâ fide* uninhabited at any one time for the space of Twelve calendar Months, that then and in that case it shall and may be lawful to and for the said Grand Jury to order and direct that the said house or houses shall be exempt, and shall not be liable to pay or be chargeable with any tax as aforesaid under this Act, for the time such house or houses shall have been uninhabited, or for so long after as the said house shall continue to be uninhabited.

106.
Or bench side uninhabited for Twelve Months.

And be it Enacted, That it shall be lawful for the Grand Jury, at each presenting term after the *passing of this Act*, to re-present, to be raised on the several houses in the barony of Rathdown and Dublin, and in the said parts of the baronies of Uppercross and Newcastle respectively, in manner and subject to the limitations aforesaid, the whole or such portion as they shall think fit of whatever sum or sums shall appear to them to be due as arrears on any house or houses in the said baronies or districts; the same to be apportioned and raised in manner as aforesaid on the several houses in the barony or district subject to a house cess, where the sums so deficient were originally presented, until the whole arrear on any house or houses in such barony or district shall be discharged: Provided always, That such sum or sums so to be re-presented upon the said baronies for arrears shall

107.
Arrears of House Cess shall be re-presented.

not be in addition to, but shall form a part and item of, the total amount so to be apportioned and assessed upon the houses within the said baronies of Rathdown and Dublin, and within the said parts of the baronies of Uppercross and Newcastle, according to such valuation as aforesaid.

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108.
Penalty on
Collectors
receiving
arrear so
re-presented.

And be it Enacted, That if any Collector, after such arrears being so re-presented as aforesaid, shall attempt to levy or demand, under colour of his original warrant, or otherwise, from the person or persons who may have incurred the same, the whole or any part of such arrears, he shall for every such offence forfeit the sum of *Fifty Pounds*, to be recovered by civil bill at the Quarter Sessions of the said county, by any person who shall sue for the same.

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109.
Finance Com-
mittee shall
issue their
warrant, &c.
as in cases of
Borough Com.

And be it Enacted, That the Finance Committee shall from time to time issue their warrant for the purpose of raising and levying the money so apportioned upon the several houses in the said baronies of Rathdown and Dublin, and upon the said parts of the baronies of Uppercross and Newcastle, as they are empowered so to do with respect to money presented upon any of the other baronies within the said county; and that the money so presented on the houses as aforesaid shall be levied in like manner, and with the like powers and remedies for enforcing payment of the same, as any money presented upon any of the other baronies; and that in case the said Churchwardens or Valuers to be appointed as aforesaid shall neglect, decline or refuse to carry this Act into effect, so far as the same relates to them respectively as aforesaid, the person or persons so offending shall be liable to a penalty of , to be recovered by action of debt, bill, plaint or information, by any person who shall sue for the same, in any of Her Majesty's Courts of Record in Dublin; and the Grand Jury of the said county of Dublin, at each presenting term, are hereby authorized and empowered to present such sum as they shall think just and reasonable, for the payment of those who may be employed in such valuation.

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110.
Collectors
shall pay into
Bank the
sums received
each month;
shall furnish
Finance Com-
mittee with
statements,
vouchers of
payments, &c.
Collectors
improperly
collecting, or
not using due
diligence,
may be
discharged.

And be it Enacted, That every person duly authorized to collect and levy the Grand Jury Cess or House Tax aforesaid, shall, on or before the First day of each Month, pay into the Bank of Ireland, to the credit of the Finance Committee, the sums he may have received up to such period, and shall furnish to the Secretary of the Grand Jury an account of the sums so received, and shall, at all times when required so to do, exhibit to the Finance Committee any books, apportionments, accounts or vouchers which they may require; and any Collector receiving any sums of money under colour of his warrant, otherwise than according to the apportionment, or neglecting or refusing to furnish to the Finance Committee such information, accounts and vouchers

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vouchers as they may at any time require, or not using due diligence in the collection of the county rate, may be dismissed from his office by such Finance Committee; and immediately upon his dismissal he shall deliver up to the Secretary of the Grand Jury his warrant, applotment, and all other papers, accounts or documents of or belonging to his office as Collector; and if any such person shall refuse or neglect to deliver up such warrant, applotment, papers, accounts and documents, when required to deliver them by an order of the Finance Committee, it shall be lawful for the Finance Committee to direct the Secretary of the Grand Jury to summon such person before any Justice of the Peace for the said county, who may commit such person to the county gaol, there to be detained till such documents be delivered up.

And be it Enacted, That it shall be lawful for the Finance Committee to add to the amount of the warrant issued by them in respect of each barony the amount of the Collector's fees upon the sums to be collected for such barony; and the same shall be collected and paid into bank by each Collector, together with the sums presented by the Grand Jury; and in case the collection shall be fully completed before the next presenting term, but not otherwise, it shall be lawful for the Finance Committee to give an order for Two-thirds the amount of his fees to the Collector so completing his collection.

111.
Collectors' Fees shall be added to applotment, but not paid unless collection be completed.

And be it Enacted, That a notice in writing of every application for any work intended to be made at any Presentment Sessions holden under the provisions of this Act shall be affixed, by or on behalf of the person or persons intending to make such application, on or immediately adjacent to the doors of every police station or barrack within such parish or parishes wherein the work to which such applications shall relate is proposed to be executed, and at the places (if any) appointed by the Grand Jury for posting notices therein; and such notices shall be so affixed at the time by the Act directed; and a copy of every such notice shall be delivered to the Clerk of the Petty Sessions of the district where the work for which such application is intended to be made or the greater portion thereof is to be performed; and the notice of every such application shall be delivered to the District Surveyor Ten Days before the day appointed for holding Presentment Sessions previous to each presenting term: Provided always, That the delivery of any such notice to the Baronial High Constable Fifteen Days before the day appointed for holding such Sessions shall be deemed to be due notice to the said Surveyor; and any Baronial High Constable to whom any such notice may be delivered shall transmit the same to the said Surveyor within Two Days after he shall have received the same; and it shall not be necessary to deliver any such

112.
Notices, where pre-arranged.

notice other than the application itself to the Secretary of the Grand Jury.

113.
Secretary
shall cause
abstracts of
presentments
and contracts
to be printed,
and abstract
of accounts
of Finance
Committee
and abstract
of applot-
ment.

And be it Enacted, That the Secretary of the Grand Jury shall cause to be printed immediately after the adjourned Presentment Sessions for the county at large an abstract book of all presentments made during the preceding presenting term, and also of all contracts entered into at the adjourned Presentment Sessions, arranging such Presentment Sessions and contracts under their respective heads, distinguishing the presentments upon each barony, or in such form as the Grand Jury shall direct, classifying imperative presentments separately; and shall cause to be appended to said book an abstract of the Accounts of the Finance Committee, as laid before the Grand Jury at the preceding presenting term, and an abstract also of the applotment made by the Finance Committee for the ensuing levy.

114.
Contractors
shall pay in
money.

Penalty for
paying or
attempting to
pay in goods.

May be sum-
moned for
wages.

And be it Enacted, That every Contractor for the execution of any county work under the authority of this Act shall pay his labourers or artificers in money, and at intervals of not more than ; and if any Contractor shall directly or indirectly pay any labourer in goods or in any manner otherwise than in money, or shall directly or indirectly attempt to persuade or induce any labourer in the employment of such Contractor to take goods in lieu of such wages, or to expend his wages in any particular shop or for any particular purpose, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on complaint of the party aggrieved, or any other person; and such Justices are hereby authorized to hear such complaint and adjudicate thereon; and if such Contractor shall be convicted thereof, he shall forfeit and pay such sum, not exceeding as to such Justices shall seem fit; and if any Contractor shall neglect to pay any labourer in his employment at intervals of not more than all wages that may be due to him, save and except the earnings of One whole Week, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on complaint of the party aggrieved, for recovery of any wages or money payable to any person employed by them in the execution of such works, so as the sum demanded do not exceed *Six Pounds*; and such Justices assembled as aforesaid are hereby authorized and required to hear such complaint, and adjudicate thereon; and it shall be no defence to such complaint that such Contractor has not himself received any payment upon foot of his contract; and the decision of such Justices shall be final, and the sum adjudged to be due shall be levied by warrant of distress under hand and seal of any Two such Justices off the goods and chattels of such Contractor.

And

And be it Enacted, That if, in the opinion of the District Surveyor or any Road Warden, the Contractor for any county work shall be guilty of neglect or inattention in the performance of his contract, it shall be lawful for such Surveyor or Road Warden to summon the said Contractor and his sureties before the Justices at Petty Sessions of the district in which such work may be situate; and if such charge of neglect or inattention be established before such Justices, it shall be lawful for them to make an order, directing the said Contractor and his sureties to complete his contract within a period to be stated in such order; and if, at the expiration of such period, the District Surveyor or Road Warden shall still see reason for being dissatisfied with the manner in which such work has been executed, it shall be lawful for them again to summon the Contractor and his sureties before the Justices at Petty Sessions; and the Justices shall thereupon proceed to inquire into and finally adjudicate upon the complaint; and if it shall appear that such work has been insufficiently executed, and contrary to the terms of the contract, it shall be lawful for such Magistrates, having ascertained the amount which it may require for the completion of such work according to the contract, to authorize such Surveyor or Road Warden to complete the same, and to levy such amount by warrant of distress upon the goods of such Contractor or his sureties.

115.
Contractor neglecting to perform contract, may, with his Sureties, be summoned before a Petty Session.

And be it Enacted, That any Two Justices of the Peace at Petty Sessions in the said county, may, under their hands and seals, order any sum not exceeding *Twenty Pounds* to be expended in repairing any bridge, or any sum not exceeding *Ten Pounds* to be expended in repairing any public road, or any pier or quay on the bank of any navigable lake or river, now or hereafter to be built by Grand Jury Presentment, which may be suddenly damaged, provided it shall appear upon the view of both of them that the repairs of such bridge or road or such pier or quay cannot be delayed until the next presenting term without prejudice to the public; and it shall be lawful for such Justices to appoint a proper person or persons to repair the same; and the Grand Jury of the said county is hereby empowered to present at the next presenting term the sum so expended in repairing any such bridge or road which is liable to be repaired by the county at large, to be levied on such county at large, and any sum so expended in repairing any other road to be levied on the barony wherein the same is situate, and any sum so expended in repairing any such pier or quay to be levied on the county at large; and the sum so presented in the said several cases shall be paid to the person or persons so appointed by such Justices to make such repairs, upon his or their producing such order under the hands and seals of the said Justices, and also a certificate under the hand of the district surveyor, that the sum specified in such order appears to have been faithfully and honestly expended

116.
Any Two Justices at Petty Sessions may order sums not exceeding Twenty Pounds for sudden damage, to Bridge, or Ten Pounds to Road, &c.

pended pursuant thereto: Provided always, That the same Justices of the Peace shall not make or sign more than One order for the expenditure of any sum as aforesaid, for the reparation of the like sudden damage between the termination of one presenting term and the commencement of another.

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117.
Penalty for
giving money
for any ap-
pointment.

And be it Enacted, That if any person shall at any time after the passing of this Act, by himself, his friends or agents, directly or indirectly give or promise to give any money or any security for money, or other consideration, to any person or persons, in order to procure the appointment to the office of Clerk of the Peace, Secretary of the Grand Jury, Surveyor, or any other office or employment in this Act mentioned, or in order to procure the resignation of any person or persons holding such office, or in order to influence the votes of the persons who may have the appointment to such office, he shall be incapable of holding any such office or employment, and shall forfeit for every such offence a sum of *One hundred Pounds* to any person who will sue for the same; and such sum may be recovered by civil bill before the Chairman of Kilmainham, or by action in any of the superior Courts; and every person appointed to any such offices at any time after the passing of this Act shall, at the presenting term next after his appointment, subscribe in open Court before the Foreman of the Grand Jury, and deliver to him, a Declaration in the form in Schedule to this Act annexed; and the same shall be preserved by the Clerk of the Crown, among the records of the county; and no presentment shall be made for any salary to any such officer until he shall have so subscribed and delivered such Declaration.

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118.
Power reserved to
make presentment
under Prison
Act.

And be it Enacted, That nothing in this Act contained shall be construed to limit or affect the powers, duties or authorities of Grand Juries to make any presentments which they are authorized or required to make under and by virtue of an Act passed in the seventh year of the reign of his late Majesty, intituled, "An Act for consolidating the Laws relating to Prisons in Ireland:" Provided always, That it shall not be lawful for any Grand Jury to make any presentment, under the provisions of the said recited Act, for any salary or compensation to any Keeper, Turnkey or Matron of any gaol, penitentiary, bridewell or house of correction, or for building, rebuilding, altering, enlarging or repairing any gaol, bridewell, house of correction or other prison, (except in the case of repairs made under the provisions of the said recited Act, in consequence of any fire or other sudden accident which may happen to any such gaol, bridewell, house of correction or other prison), unless application for such presentment shall have been made and approved at Presentment Sessions, in the manner hereinbefore directed and provided: Provided also, That all contracts which any Grand Jury is authorized to make or enter into under

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under the provisions of the said recited Act shall be made by sealed tenders and proposals, to be delivered, opened and dealt with, and security to be taken, in like manner as heretofore provided with respect to other contracts for public works, any thing in the said recited Act to the contrary notwithstanding: Provided also, That no such contract shall be entered into nor any presentment made thereupon, save upon and after an application made and approved at Presentment Sessions, as heretofore directed.

And be it Enacted, That it shall be lawful for any Grand Jury to re-present any such sums of money as now are or at any time hereafter shall be unpaid or in arrear out of any denomination or barony to be raised and levied on such denominations or barony upon which the same was originally required by the warrant of the Finance Committee to be levied, and to present all such sums of money which have hitherto been or which shall at any time hereafter remain unpaid on account of the absconding or insolvency of any Collector or other person empowered to receive or collect public money, who is or shall be insolvent, to be raised and levied either upon the county or upon the barony in which the same was before levied, as they shall think fit, which sums shall be levied in the same manner, and subject to the same rules, regulations, provisions and powers as any money to be levied by virtue of this Act is to be subject; and in case any money so detained or secreted by any Collector or other person empowered to collect or receive public money shall be thereafter recovered, it shall be paid to the credit of the Finance Committee; and such money so paid, and any balance, arrears of, or surplus on the salary of any county officer, and all other such like surplus and balances of money raised by authority of this Act, or which may anyhow arise to the credit of the Finance Committee, shall be applicable to defray the expenses of any public work, or any county charge whatsoever which the Grand Jury are authorized to present under the provisions of this Act, and shall be presented by the Grand Jury for such of the said purposes as to them shall seem expedient: Provided always, That such sum shall be applied to the credit of the barony off which it was originally levied: Provided also, That before it shall be lawful for any Grand Jury to re-present any sum of money as unpaid or in arrear out of any barony or denomination, it shall be made to appear by affidavit of the Collector to such Grand Jury that such sum is actually in arrear and unpaid by such barony or denomination respectively, and that it could not have been levied from the persons or out of the lands charged with or liable to pay the same.

§ 19.
Power to
re-present
arrears as
originally
presented.

AND whereas in the county of Dublin an accumulation of insolvent arrears of Grand Jury Cess has taken place, by reason of the

§ 20.
Certain
arrears now
due and
known to be

re-installed
by instal-
ments.

Grand Jury thereof in certain cases not having possessed any power by law to re-present for such arrears, and in consequence thereof the county at large, and several of the baronies therein, have become largely indebted to the public; and it is expedient that such Grand Jury should become empowered to discharge such debts respectively by instalments; BE it Enacted, That within after the passing of this Act, the Finance Committee of the county shall transmit to the Chief or Under Secretary of State a detailed account of the debt which shall be then due by the said county at large, and by each barony therein respectively, together with the causes of such debts respectively having accrued, and shall certify the same to be true and correct in every particular; and the Lord Lieutenant shall thereupon cause an inquiry and examination to be made into the items and facts stated in such account, and shall, by and with the advice of Her Majesty's Privy Council, transmit to such Grand Jury, through the Chief or Under Secretary of State for Ireland, his warrant, which shall state the amount of the debt (if any) which upon inquiry shall appear to be due by such county at large, or barony, and the number of instalments by which the same shall be paid; and it shall be lawful for such Grand Jury, and they are hereby required, at the presenting term at or next after which they shall have received such warrant as aforesaid, to present for the first of such instalments respectively, and so from time to time according to the exigency of the said warrant, until the whole of such debt (stated therein) shall have been liquidated and paid off; and such presentment shall be levied and accounted for in like manner as any other presentment under this Act.

121.
County
Building may
be insured.

And be it Enacted, That it shall be lawful for the Secretary of the said county for the time being to effect a policy or policies of insurance against fire on any public building or any other public property which he shall be directed by the Grand Jury to insure, and for such sum as he shall be so directed; and such policy shall vest in the Secretary for the time being, and the sum thereby secured shall be payable to him as part of the public fund of such county, and shall be lodged by him to the credit of the Finance Committee, and shall be applied to public purposes, from time to time, as the Grand Jury shall direct by any presentment sanctioned and approved of by the Judges of the Court of Queen's Bench, at the presenting term at which such presentment may be made; and the Grand Jury shall have the power, without any previous application at the Sessions, and are hereby required to present, to be levied off the county at large, the premium and other charges payable on such policy, and for continuing the same; and the Finance Committee shall from time to time pay such premium.

AND

AND whereas, for the purpose of diminishing the expense to which many counties in Ireland are at present subjected, in keeping in repair short lines of roads which from time to time have been made by such counties as improvements upon old lines of turnpike-roads, it is expedient that the Trustees and Directors of turnpike-roads and the Grand Juries of counties in Ireland should in certain cases, and by mutual agreement, have a power of exchanging such roads or portion of roads; BE it Enacted, That from and after the passing of this Act, it shall be lawful for the Trustees and Directors of any line of turnpike-road, or any Three or more of them, in any case wherein they may deem it expedient to adopt as part of such line of turnpike-road the whole or any part of any road made and hitherto kept in repair by County Presentment, first having the consent in writing of the Grand Jury of the county through which such road may pass at any presenting term, signifying that it will be for the advantage of the public that such road or portion of road shall become a part of such line of turnpike-road, in place of the old turnpike-road or portion of old turnpike-road, as an improvement upon which such new line of road may have been made by such county as aforesaid; and from and after the last day of the presenting term or Assizes in which such consent shall have been signed, such road or portion of road so theretofore made and repaired by presentment shall to all intents and purposes be deemed to form and shall form a part of such turnpike-road; and the Trustees and Directors of such line of turnpike-road shall have the same powers with respect to such road or portion of road so adopted by them, as they had by law over the portion of old turnpike-road so given up by them to the Grand Jury aforesaid: Provided always, That notice of such exchange of road, signed by the Trustees and Directors of the turnpike-road on the one part, and the Foreman of such Grand Jury on the other part, shall be published in the Dublin Gazette, and one or more of the Dublin newspapers, as soon as may be after the signing of such exchange as aforesaid.

122.
Grand Juries
may ex-
change short
lines with
Trustees of
Turnpike
Roads.

And be it Enacted, That it shall not be lawful for the Trustees of any turnpike-road, or the Collectors of any turnpike toll-gate, to enforce payment of any toll for any horse or other animal drawing any cart or car, or passing through the said gate, unless the same shall have travelled more than *Two hundred Yards*.

123.
No Toll on
Turnpike-
roads for
travelling less
than *Two
hundred
Yards*.

AND whereas that part of the road from Dublin to Kingstown and Bray, commencing at Ball's Bridge, in the city of Dublin, and ending at the town of Blackrock, in the said county, was situate within the limits of the city of Dublin, and was repaired by presentment of the Grand Jury of the said city, until the passing of an Act passed in the fifth

124.
The Road
from the con-
fines of the
City of
Dublin to
to
be repaired
by the City
of Dublin.

329.

H

and

and sixth year of Her Majesty's reign, intituled, "An Act to alter the Number and define the Boundaries of the several Baronies of the County of Dublin," whereby the district through which the said road passed was made and constituted a separate barony in the county of Dublin, by the name of the Barony of Dublin: And whereas, from the great traffic on the said road, it requires frequent and expensive repairs, the cost of which would prove burthensome upon the inhabitants of the barony of Dublin; and it is just and reasonable that the inhabitants of the city of Dublin should contribute towards the repairs of the said road, it being one of the leading roads from the said city; BE it therefore Enacted, That so much of the said road as is comprised between Ball's Bridge and shall be repaired by presentments made by the Grand Jury of the city of Dublin, and shall be deemed to be and shall be for all purposes connected with its repairs by Grand Jury Presentments, but not otherwise, as if it were situate within the limits of the said city.

125.
Repayment
of money
advanced out
of Consolida-
ted Fund.

And be it Enacted, That in all cases where by this or any Act or Acts now in force in Ireland repayment is to be made by Grand Jury presentment of any money advanced out of the Consolidated Fund, or from any other public fund, the same shall from and after the passing of this Act be paid and payable unto such bank or person, and in such manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any Three of them, shall from time to time think fit to direct and appoint.

126.
Court shall
make order if
Grand Jury
omit.

And be it Enacted, That in case the Grand Jury at any presenting term shall neglect or refuse duly to present any money which, under the provisions of this Act or of any Act now in force in Ireland, or of any Act passed or to be passed in this present Session of Parliament, such Grand Jury may be required to present at such presenting term upon the certificate of the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors of Ireland, or otherwise for the purpose of reimbursing or replacing any monies issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, the Court shall have power to make an order directing the sum or sums which ought to have been so presented to be raised and levied as if the same had been so presented; and such order shall have the force and effect of a presentment, and the Treasurer of the county or Finance Committee shall insert the sum mentioned in such order in the warrant, and the same shall be apportioned, raised and levied, and applied in like manner to all intents and purposes as if the same had been duly presented by such Grand Jury.

127.
Compensa-
tion for mali-
cious injury.

And be it Enacted, That from and after the commencement of this Act, in all cases of maliciously or wantonly setting fire to, burning or destroying

destroying any house, outhouse or other building, or any haggard,
 corn, hay, straw or turf, or of maliciously setting fire to, burning or
 sinking any boat or barge laden with corn or other provisions, or of
 maliciously killing, maiming, houghing or injuring any horse, mule,
 5 ass or swine, or any horned cattle or sheep, or of maliciously damaging,
 injuring or destroying any bank, gate, lock, weir, sluice, bridge, dam or
 other work belonging to any person, public canal or navigation, any
 person or persons injured by any such offence, and intending to apply
 for compensation for any loss or damage sustained thereby, shall serve
 10 notice in writing of such injury and of such his or their intention upon
 the High Constable of the barony and the Churchwardens of the
 parish, and at the nearest police station, or if there be no Church-
 warden or High Constable, then upon Two of the principal inhabit-
 ants of the parish wherein such offence shall have been committed,
 15 within Six Days at least after the commission of the same; and shall
 lodge with the High Constable or Secretary of the Grand Jury, in like
 manner and time as applications for presentments for public works
 are hereinbefore directed to be lodged, an application setting forth
 the loss or damage occasioned by such offence, and stating the time
 20 and place when and where such injury was done, the particular prop-
 erty consumed, injured or destroyed, and the amount of damage
 thereby sustained, and by what number of persons, and whom, by
 name and description, such injury was done, if such offender or
 offenders shall be known, and if not, stating such particulars respect-
 25 ing such offender and offenders as may be known; and like notices
 shall be posted of such application as hereinbefore prescribed in cases
 of other applications to Presentment Sessions; and such application
 shall be scheduled by the Secretary of the Grand Jury, and by him
 dealt with in all respects as other applications under this Act; and
 30 the Presentment Sessions shall examine into the serving and posting
 the notices of such application, and into the merits of the same; and
 the Chairman shall indorse their opinion thereupon, and such Secre-
 tary shall deliver such application so indorsed to the Grand Jury at
 the next presenting term; and the said Grand Jury shall examine into
 35 the matter of such application, upon the oath of the party injured,
 or such other evidence as can be produced touching the said offence;
 and the said Grand Jury shall, on the consideration of the said matter,
 either disallow such application altogether, or present such sum or
 sums of money as the person or persons so injured ought to receive
 40 for such injury or damage, to be levied off the county at large, or
 such barony, parish, district, townland or sub-denomination thereof as
 the Grand Jury shall direct.

Notice to be
 given within
 six days to
 Church-
 warden.
 Application
 to be made to
 Sessions, and
 disposed of by
 Grand Jury

And he it Enacted, That every application under this Act for com-
 pensation for loss or damage occasioned by any malicious injury as
 329.

H 2

aforesaid

128.
 Applications
 when to be
 made.
 Persons
 injured to

give in examinations
within Three
Days.

aforesaid shall be made at the Presentment Sessions which shall be
holden next before the presenting term after the commission of such
offence for the barony where the same shall have been committed, unless
any such malicious injury shall have been done after the day appointed
for holding the first Presentment Sessions before the next presenting 5
term, or so near the day of holding the same that such application
for compensation cannot be duly lodged as hereinbefore directed; in
either of which cases the person or persons so injured shall make
such application at the Presentment Sessions which shall be holden
for the barony where such offence shall have been committed before the 10
presenting term, which shall take place next after that following the
commission of such offence; and the notices of such applications shall
be posted accordingly; and it shall not be lawful for any Grand Jury to
make any presentment for compensation for malicious injury under the
provisions of this Act, except at the presenting term next ensuing to 15
the Presentment Sessions where application shall have been made
therefor.

120.
Persons
injured to de-
clare whether
they know
the party
committing
the damage.

Provided always, and be it Enacted, That every person or persons
who shall, under the provisions of this Act, apply for compensation for
any loss or damage occasioned by malicious injury as aforesaid, shall, 20
within *Three Days* after the commission of the said injury, unless pre-
vented by illness or other sufficient cause, give in his, her or their
examination, or that examination upon oath shall be given by his, her
or their servant or servants who had the care of his, her or their pro-
perty so injured, before some Justice of the Peace of the county, 25
thereby specifying whether he, she or they do know the person or
persons who committed the said injury, or any of them; and in such
case such examinant or examnants shall be bound by recognizance to
prosecute such offender or offenders, by indictment or otherwise,
according to the laws of this kingdom. 30

130.
When Pre-
sentment is
opposed or
application
disallowed,
Jury may be
sworn to try
the matter.

And be it Enacted, That all such applications whatsoever for
compensation for loss or damage sustained by malicious injury, shall
be laid by the Acting Clerk of the Crown before the Judges of the
Court of Queen's Bench on the First day of the next presenting term;
and in case any person paying Grand Jury Cess for the said county or 35
any barony chargeable with the sum presented by the Grand Jury,
upon any such application, shall be desirous of opposing any such pre-
sentment, or in case any person whose application for compensation
shall have been disallowed by the Grand Jury shall wish to have his
or their application re-considered, such Cess-payer or person or per- 40
sons applying for compensation shall be heard; and in either of such
cases the Judges, if they shall so think fit, shall direct a Jury to be
forthwith impannelled to try the matter of such presentment or appli-
cation

5 cation respectively at Nisi Prius, and according as the issue shall be found for or against such Cess-payer, the Judges shall discharge, alter or fiat such presentment; and in case of application disallowed, if the issue shall be found for the person or persons applying for compensation, the Judges of the said Court shall direct the Grand Jury for the time being to make presentment thereupon accordingly, otherwise such application shall be discharged; and all verdicts of Juries impanelled as aforesaid to try any such issues shall be final and conclusive to all persons whatsoever; and it shall be lawful for the said Judges to award by rule for that purpose costs to the parties for whom the issue shall be found against the other party or parties respectively in any sum not exceeding *Ten Pounds* sterling; and the said Judges are hereby empowered to direct and issue forthwith an order or orders in the nature of an execution against such last-mentioned party or parties respectively, which said order or orders the Sheriff of such county is hereby required to execute in the same manner as in cases of execution against the chattels and effects of defendants.

20 And be it Enacted, That no presentment for compensation for loss or damage as aforesaid shall at any time be removed by certiorari; nor shall any such presentment be at any time quashed for any informality, imperfection or defect in form whatsoever; and no traverse, save as heretofore directed, shall be allowed or received to any presentment, nor shall any action or suit for the recovery of any satisfaction or damages sustained by reason of any injury for which the person or persons injured thereby may be entitled to apply for compensation under the provisions of this Act, be brought or prosecuted against any Chief or other Magistrate, or any inhabitant or inhabitants of any parish, or other person or persons whatsoever, any Act or Acts now or heretofore in force in Ireland to the contrary notwithstanding.

131.
 No Presentment for compensation to be removed by Certiorari, nor traverse allowed, nor action in cases provided for.

30 Provided also, and be it Enacted, That in case such burning or other malicious injury as aforesaid shall be committed on the verge or within the distance of *One Mile* of the boundary between the said county of Dublin and any one or more counties, the person or persons who shall sustain such injury may apply for compensation in the manner heretofore directed, in either or any one of such counties; and such application, if made in the county of Dublin, shall be made in the manner heretofore directed, but if in any other county, in the manner authorized and directed by any Act or Acts in reference to such county; and all proceedings shall be taken thereupon as hereinbefore provided with respect to other applications for damages for malicious injury; and in case any sum or sums of money shall be presented by the Grand Jury of the county where such application shall be made, or shall be finally awarded by the verdict of any Jury

132.
 Mode of obtaining compensation for injury committed near boundaries of County.

as and for compensation to the person or persons applying as aforesaid, the Judge at the Assizes of such county, or at the presenting term for the county of Dublin, shall have power and authority to apportion the amount of such compensation amongst such counties, and shall direct the proportion of the same which shall be paid by them respectively, and shall certify the same accordingly; and such presentment shall thereupon be diminished, or presentment made according to the proportion which the said Judge shall direct to be paid by such county; and the Grand Jury or Grand Juries of the said other county or counties respectively shall and they are hereby required, on the production of the certificate of such Judge, declaring the proportion to be paid by such county or counties, to present such proportion when the same shall exceed *One hundred Pounds*, to be raised off the county at large; and if such proportion shall be under *One hundred Pounds*, to be raised off the barony or baronies in or near to which such injury shall be alleged to be committed, and paid to the person or persons so applying, as the case may require.

133.
No Fee to be
taken for
such Pre-
sentments.

And be it Enacted, That no fee shall be demanded from or paid by any such Cess-payer or person applying to the Clerk of the Crown, Judges, Crier or Jury, for any matter or thing relating to any such application, presentment or trial.

134.
Justices at
Quarter Ses-
sions shall
divide County
into Two
Coroners' Districts.

And be it Enacted, That it shall be lawful to and for the Justices of the Peace for the said county of Dublin, at the Quarter Sessions next after the passing of this Act, and they are hereby required to divide the said county into Two Coroners' districts, appropriating a certain number of the baronies to the one district, and the remainder to the other, and to allocate one of those districts to each of the Coroners of the said county; and that hereafter when any person may come to a sudden or unnatural death, it shall be the duty of the Sub-Inspector of the Constabulary acting for the district in which such death may take place, or in his absence for the Head Constable or other Constable having charge of such district, to give immediate notice thereof to Two of the nearest Justices, who, or either of whom, shall forthwith take cognizance thereof; and if upon inquiry there shall be reason to apprehend that such death may have been occasioned by violence, poison or any lawless act, or took place in prison, the Justice or Justices, having taken cognizance thereof, shall cause a Coroner to be sent for, and an inquest held; but if such Justice or Justices shall see no reason for supposing such death took place under any suspicious circumstances, it shall be lawful for such Justices at their discretion to abstain from sending for a Coroner: Provided always, That in every case where such an inquiry shall be held by any Justice or Justices, it shall be his or their duty to examine the body of the deceased

In cases of
sudden death,
Sub-Inspector
of Constabulary shall
give notice to
nearest Jus-
tices, who
shall investi-
gate cause of
death;

may refrain
from sending
for Coroner if
no suspicious
circumstances.

deceased person, and take down in writing all the evidence that may be submitted, and transmit the same to the Clerk of the Petty Sessions, who shall make a copy thereof for the information of the Magistrates, and forward the depositions so taken with as little delay as possible to the Clerk of the Peace for the county: Provided also, That if the Clergyman of the parish wherein such death may have taken place, or the Minister of any religious denomination, or any Two Household-ers shall think it right that a Coroner should be sent for, it shall be lawful for such persons to require the Justice or Justices having taken cognizance of the death to require the attendance of the Coroner, in order that an inquest may be held, whereupon such Justice or Justices is and are hereby required forthwith to notify the same to the Coroner of the district, or if his attendance cannot be obtained, then to the Coroner of the other district.

Minister of Religion or Two Household-ers may require attendance of Coroner.

And be it Enacted, That the Head Constable of each district shall henceforth be, ex officio, an Inspector of Weights and Measures within such district, and shall possess and exercise all the powers, authorities and provisions which any Inspector of Weights and Measures may possess under and by virtue of an Act passed in the and shall perform such duties under the direction of the Magistrates at Petty Sessions without fee or reward, and notwithstanding any manorial jurisdiction or claim of jurisdiction within such district.

135.
Head Constable shall be Inspector of Weights and Measures.

And be it Enacted, That it shall be lawful for the Grand Jury of the county at each presenting term to appoint a Committee to superintend and have charge of each court-house belonging to the county, or rented for the use thereof, and to authorize such Committee to expend a sum not exceeding *Forty Shillings* in petty incidental repairs, which may become necessary in such court-house, and the Finance Committee upon being satisfied as to its just application shall pay the same.

136.
Committee may be appointed to superintend Court-houses.

And be it Enacted, That from and after the last day of the presenting term next after the *passing of this Act*, the office of Treasurer of the county of Dublin, and also the office of Inspector of Accounts and Grand Jury Presentments in the said county of Dublin, shall cease and be abolished.

137.
Office of Inspector of Accounts and Treasurer in County of Dublin abolished.

AND whereas the said offices of Treasurer and Inspector were created and have existed since the passing of an Act passed in the twenty-sixth year of the reign of his late Majesty King George the Third, for the regulation of presentments in the county of Dublin: AND whereas it is just and reasonable that the present officers who

138.
Compensation to Officers.

have filled their said offices respectively for a period exceeding Twenty Years should have compensation granted to them; BE it Enacted, That it shall and may be lawful for the several Grand Juries of the said county, and they are hereby required at each presenting term, to present the sum of for the said Treasurer, and the sum of for the said Inspector, to be raised off the county at large, to be paid to them half-yearly during their respective natural lives: Provided always, That such half-yearly presentments may be at any time commuted for a principal sum, payable immediately or by instalments, at such rates as may be agreed upon between the said officers or either of them, and any Grand Jury of said county at any presenting term, in which the Grand Jury shall have power to present such sum as may be so agreed upon to be raised off the said county.

139.
Presentments
may be
traversed.

And be it Enacted, That it shall be lawful for any person paying Grand Jury Cess for the county to traverse any presentment made under this Act by the Grand Jury of such county, and also to object to the application of any Contractor under this Act for payment on the ground of such Contractor not having complied with the terms of his agreement or with the provisions of this Act; and the Court at each presenting term is hereby authorized and required to try the truth of the fact by a Jury, in the same manner as any traverse within the jurisdiction ought to be tried; and it shall not be lawful for the Clerk of the Crown or Clerk of the Peace to take any fee in respect of such traverse, and costs shall be paid by the party against whom such traverse shall be found: Provided always, That although there shall be verdict against such traverse, yet if the Court shall be of opinion that there was reasonable and probable grounds for traversing such presentments, or the application of such Contractor, the costs shall be paid by the Finance Committee from and out of the county monies to their credit; and the Grand Jury shall present the same without previous application to Presentment Sessions: Provided also, That every person intending to traverse any presentment or payment for which it is by this Act required that application shall be made at the Presentment Sessions, shall give notice in writing of such intention to the Secretary of the Grand Jury, within Two Days after the first day of such Sessions, and the same or any other presentment shall be traversed only at the presenting term at which the presentment shall be made.

140.
Presentments
for new
Roads, &c.
may be
traversed for
damages.

And be it Enacted, That it shall be lawful for any occupier or owner of the ground through which any new road is to be made or into which any old road is to be widened, to traverse the presentment for the same for damages, at such presenting term aforesaid, having given

given like notice to the Chairman of the Presenting Sessions and to the Secretary of the Grand Jury previous to the commencement of such presenting term of the amount of damage intended to be claimed, which traverse or traverses shall be tried then or at the ensuing Presenting Term, upon the entry in the Crown Book of the presentment and traverse, without making up any record; and the Jury which shall try such traverse shall be sworn true verdict to give, whether any and what damages will occur thereby to the traverser, taking into consideration any collateral advantages which may result or accrue to such traverser by reason thereof, and making abatement accordingly; and it shall be lawful for the Grand Jury to present, without previous application at Presentment Sessions, such sum or sums of money so found for damages to be raised off the county or off the barony respectively in which the traverser shall have made it appear that he or she sustained the damages; and to such latter presentment no traverse shall be allowed or received; and upon the damages so found being presented for the use of such traverser, or deposited for his or their use with the Secretary of the county, it shall be lawful for the Contractor to proceed in the execution of the presentment without the interruption of any person.

And be it Enacted, That every District Surveyor and every Contractor for any work to be executed by Grand Jury Presentment, shall have power and authority to dig for, raise and carry away in or out of any lands, not being a deer-park, bleach-green, orchard, walled garden, haggard or yard, or planted walk, lawn or avenue to a mansion-house, any gravel, stones, sand or other materials, whether the same be found in the same or any adjoining county, which may be wanted for the building, rebuilding, enlarging or repairing any bridge, arch, gullet, pipe or wall, or for the making, repairing or preserving any road or footpath; and such Surveyor or Contractor is hereby further empowered to make drains in order to carry off water which might injure any bridge, gullet, arch, pipe, wall or road, in or through any lands not being a deer-park, bleach-green, orchard, walled garden, haggard or yard, or planted walk, lawn or avenue to a mansion-house, and shall make such satisfaction for the damage done thereby, or by taking any such materials as aforesaid, as shall be agreed upon between the parties, or assessed by Three Appraisers; which Appraisers shall view the ground immediately previous and immediately after such damages shall be committed; one of such Appraisers to be named by the owner or occupier of the land, and another by the Surveyor or Contractor, and the third by any neighbouring Justice of the Peace; and in case any Surveyor or Contractor shall refuse, or, after Four Days' notice in writing from such Landholder, neglect to name an Appraiser on his part, then one shall be named for him by such Justice; and such Three Appraisers shall be sworn by such

141.
Contractors
and Surveyors
may take
materials for
roads, &c.
Damage to be
assessed by
Three
Appraisers.

Justice of the Peace (previous to the damage being committed) to be Appraisers of such damages as may occur, and to make a true estimate thereof; in which estimate the value of any stones, gravel or other materials shall not be included, but only the waste committed by breaking the surface and making a passage through the land, unless where such stones, gravel or materials shall be taken from any quarries or gravel-pits bona fide demised with liberty to work the same; and the amount of the damage to be awarded shall be paid to the owner or occupier of the ground as awarded, and *One Shilling* each to the Appraisers, within *One Week* after the award, and in default of payment may be recovered in summons before any Justices at Petty Sessions: Provided always, That it shall not be lawful for any such Contractor or Surveyor to enter any lands for any such purpose against the will of the occupiers thereof, without the previous order of Two Justices of the Peace at Petty Sessions; which order such Justices are hereby authorized and required to grant, on its being proved to their satisfaction that the gravel, stones or other materials sought cannot be conveniently procured elsewhere, nor such drain otherwise sufficiently made or cleansed.

142.
Materials not
to be taken to
injury of
road or
building.

And be it Enacted, That it shall not be lawful for any such Surveyor or Contractor to dig, raise and carry away any gravel, stones, sand or other materials from the side of any public road, or from any beach or sea-shore, whereby a public road or bulwark or defence to any building or any land adjoining any road may be injured; and that any person who shall be convicted thereof, on the oath of One or more credible Witnesses, before any Justice of the Peace, shall for every such offence forfeit and pay a sum not exceeding *Five Shillings* for every cart-load of such gravel, stones, sand or other materials so dug, raised or carried away, to be levied by warrant of distress, under the hand and seal of such Justice, off the goods and chattels of such offender.

Notices
and Penalties.

143.
Regulation of
Drivers.

And be it Enacted, That the drivers of every kind and species of vehicle, and all persons riding or driving any animal or animals, laden or unladen, on any road or in any street in the said county, shall keep their left-hand side of the road or street in going or coming thereon, leaving the other side free to all other passengers; and when they may have occasion to pass any other persons going in the same direction with themselves, shall, in all cases where it is practicable, take and go on the right-hand side of such persons; and on every cart, cur or other carriage without springs on any road upon which Her Majesty's Mails are conveyed in coaches, or any other road being a county road, the name and surname and residence of the owner of such vehicle shall be painted in white roman letters *One Inch* long at the

the least ; and every car or cart drawn by One Horse, Mule or Ass shall have a double rein extending back to such car or cart ; and if any person shall wilfully refuse or neglect to drive or pass in manner aforesaid, or if any person shall drive any vehicle on any such road whereon the name of the owner is not painted, or without a double rein as aforesaid, it shall and may be lawful for any magistrate, constable or turnpike-keeper to stop and detain such offender, and the vehicle and animal or animals on which or with which such offender shall be, and forthwith to carry or convey such offender before any Justice of the Peace for the county where such offence shall be committed, or for any person whatsoever to lodge information against such offender before any such Justice ; and upon being convicted thereof upon the Oath of One credible Witness, every such person so offending shall forfeit and pay any sum not exceeding *Five Shillings*, to be levied by distress and sale of the goods and chattels of such offender, or by distress and sale of the carriage and horse or horses or other beasts, and the goods therein or thereon, wherewith such offender shall have been travelling at the time of such offence, such distress to be made under the hand and seal of such Justice, rendering the overplus (if any), after deducting the said fine and expenses of such distress and sale, to the owner or owners on demand ; One-half of the amount of the penalties so levied to be paid to the informer, and the remaining Half to the Disputary of the district, or such other charitable purpose as the Justices shall direct ; and if distress sufficient for such penalty or penalties shall not have been seized or found, it shall and may be lawful for such Justice and he is hereby empowered and required to commit such offender so convicted to the Common Goal for any time not exceeding *One calendar Month*, unless such offender shall sooner pay and satisfy the damages which shall happen in consequence of any such neglect or default as aforesaid.

And be it Enacted, That no house or part of a house shall be built within *Thirty Feet* of the centre of any road, or within *Fifteen Feet* of the side thereof (except in the streets of corporation or market towns) ; and that if any person shall offend herein, every such person shall, upon conviction before any Justice of the Peace, forfeit and pay the sum of *Ten Pounds*, and the further sum of *Twenty Shillings* for every week after such conviction, until the same shall be pulled down or removed ; and no limekiln or windmill shall be built within *One hundred Feet* of the centre of any public road ; and it shall be lawful for any Justices at a General Sessions of the Peace, to direct any house, limekiln or windmill built or building contrary to this Act to be pulled down, and to issue their orders to any constable or constables for that purpose, which order every chief and other constable shall aid and assist in executing ; and the centre of the

144-
No house to
be built with-
in *Thirty*
Feet of
centre of
road.

What centre
of road.

road, for the purposes of this Act, shall be deemed to be the centre of the part thereof made with gravel or small stones.

145.
Persons who
scour or fill
up ditches of
roads without
consent of
Surveyor or
Road Warden,
or Overseers
committing to
scour their
ditches, &c.
for water to
pass through
after notice,
or committing
offences as
herein,
penalty Ten
shillings.

And be it Enacted, That if any person shall scour, deepen, widen or fill up any ditch or drain on the side of any road, without the consent or direction of the District Surveyor or a Road Warden; or if any owner or occupier shall omit to scour any ditch or drain leading from any public road, so as to give full liberty to the water to pass away within *Ten Days* after notice shall be given to him or her so to do by such Surveyor or a Road Warden, or any Justice of the Peace, or shall permit or suffer the free passage of the water to be obstructed, by making or having any way or passage from any road into the lands adjoining, or to his or her house, without a sufficient pipe, sewer or gullet underneath; or shall ride or drive any horse, beast or other cattle, or any cart or carriage, willingly or unnecessarily on or against any footpath, or shall wilfully cross, so as to prevent any other person passing him, or shall drive furiously, so as to endanger passengers on any public road; or shall steep or dry any flax, or burn any bricks or lime, or any weeds or vegetables for ashes, or permit the same so to be steeped, dried or burned on his or her land, within *One hundred Feet* of the centre of any public road; or shall light any fire, or shall eat any turf, or make any turf stacks on any public road, or within *Forty Feet* of the centre of the same; or shall build any wall, or make any ditch, or dig any pit or hollow on any public road within *Thirty Feet* of the centre thereof, or within *Fifteen Feet* of the side thereof, unless by authority of any presentment; or shall lay or cause to be laid any dirt, dung, turf, straw, rubbish, or scouring of any ditches or drains, or any stones, bricks, timber, sand, clay or lime on any public road, or within *Thirty Feet* from the centre of such road, or shall suffer same to be laid in any county road opposite to his land; or shall leave on any public road, or permit to be left on the same, opposite to or near his or her house or offices, any plough or harrow, or any cart or car, dray or other carriage, without the horse or horses or other beast or beasts being harnessed thereto, unless such carriage shall have been accidentally broken down there; or shall spread any linen, blanket or cloth for winnowing corn within *One hundred Feet* of the centre of any public road; or shall spread any clothes for drying on the side of any road; or shall slaughter any beast, or leave any dead beast on any road; or skin, or permit to be skinned, the carcass of any beast on any public road, or within *One hundred Feet* of the centre thereof, unless in a house or yard inclosed with walls; or shall hoop, cleanse, fire or scald any cask, or bind any cart or car wheels; or shall heat any flax, or winnow any corn, or erect any may-pole, may-bush or sign-post on any road; or shall make, or assist in making, any fire or fires, commonly called bon-fires;

fires; or shall wantonly set off and throw any squib, rocket or other
 fireworks within *Eighty Feet* of the centre of any road; or shall bait
 any bull, or play at football, hurling or any other game or games
 upon any road, or the sides thereof, or fly any paper-kite to the
 5 annoyance of passengers; or shall keep any cur, mongrel, mastiff or
 bulldog, or other dangerous dog, without having such dog muzzled,
 or a block of wood of sufficient weight to prevent such dog being
 dangerous, fastened to the neck of every such dog at any house
 within *Fifty Yards* of any public road; or shall leave or suffer
 10 any horse or goat, swine, or other animal, his property, to feed
 or wander on any road; or shall without the consent of the District
 Surveyor, or a Road Warden, scrape any public road, or cut
 any sods of turf on the side of any such road; or take away any
 earth, clay, scrapings, stones or gravel therefrom; or make any drain,
 15 gutter, sink or water-course across, or otherwise break up or upon the
 surface of any road or footpath; or shall load or drive any car or
 carriage with timber, boards or iron laid across, so as that either end
 may project more than *Thirty Inches* beyond the wheels and sides of
 a public road without being supported by wheels from touching the
 20 same; or shall neglect to cut or clip the hedges at the side of any
 public road at a height not exceeding *Five Feet*, timber trees therein
 excepted, within *Ten Days* after being noticed so to do by any Justice
 of the Peace for the said county, District Surveyor or Road Warden;
 25 provided, that no such notice shall be given from the First day of
 April to the First day of September; or, being a blacksmith, and
 having a shop or forge with a window fronting any road, shall neglect,
 after it becomes twilight, to bar and prevent light from such shop
 shining into such road, every person so offending shall upon conviction
 30 by the Oath of One credible Witness before any Justice of the Peace
 within his jurisdiction, or upon the view of any such Justice, forfeit a
 sum not exceeding *Ten Shillings* for every such offence; and it shall
 be lawful for such Justice, by warrant under his hand and seal, to
 empower such District Surveyor or Road Warden to fill up any ditch
 35 or drain which shall be scoured, deepened or widened, or to scour any
 drains which have been filled on the side of any road without such
 direction or consent as aforesaid; and to scour or deepen any drain
 or ditch, or remove any way or passage leading from any road into
 any adjoining land, or to any house which may obstruct the free
 40 passage of the water, and to re-make the same by building a gutter,
 sewer or arch therein; and to remove any brick or limekilns, weeds or
 vegetables for making ashes which shall be burning, or any flax which
 shall be steeped or drying within *One hundred Feet* of the centre of
 any public road; and to pull down any sign-post, may-pole or may-
 45 bush; and to pull down or fill up and level any wall, drain or ditch
 which shall be built or made or begun to be built or made contrary to
 this Act; and to have removed the carcase of any dead beast which
 329. shall

shall remain in or near any public road contrary to this Act; and to have every such hedge effectually clipped and cut, timber trees alone excepted, and to levy the expense of so doing by distress and sale of the goods of the offender, or of the occupier of the lands wherein such way, passage or drain shall be, rendering the overplus (if any) to the owner, after deducting the sum of *One Shilling* in the pound for the expense and trouble of taking such distress. 5

146.
Dung, &c. on
public road
may be
taken away
-y any one.

And be it Enacted, That all dirt, dung, turf, straw, rubbish and scouring, and all clay, stones, bricks, sand or lime, which shall be laid on any public road within *Thirty Feet* of the centre thereof without such consent or direction as aforesaid, shall be and is hereby declared to be forfeited, and it shall be lawful for any person whatsoever having obtained permission from the Surveyor or a Road Warden, or one Justice of the Peace for the county, to take, carry away and convert the same to his or her own use, as also all corn which shall be laid on any public road for the purpose of being winnowed, or shall be winnowing thereon, or remain there after having been winnowed thereon, together with the sacks or winnowing cloths whereon the same may happen to be, and all flax which shall be beating on any public road, or to be laid there for the purpose of being beaten, and any may-bush or may-pole which shall be erected on any public road, without the let, suit, trouble or hindrance of any person whatsoever. 15 20

147.
Justices may
kill or cause
warrant for
killing Dogs.

And be it Enacted, That for every cart-load of dung, rubbish or scouring which shall have been laid on any public road, or within *Thirty Feet* of the centre thereof, contrary to the provisions of this Act, and which shall be drawn away by the directions of any Magistrate, District Surveyor or Road Warden after having remained there for *Twenty-four Hours*, the person by whom or by whose order the same was laid there, or who shall be liable to penalty for the same being laid there, upon conviction before any Justice of the Peace within his jurisdiction, by the oath of One credible Witness, shall forfeit not exceeding *Five Shillings* for every day the same shall have remained there; and it shall be lawful for any Justice of the Peace within his jurisdiction to kill any mongrel, cur, dog, mastiff or bulldog, or other dangerous dog which shall be kept near any public road contrary to the provisions of this Act, or to issue his warrant to order any such dog to be killed; and the District Surveyor or Road Wardens and Constables within their respective jurisdictions may seize or kill any such dog, mastiff or bulldog, which shall be kept near such road contrary to the provisions of this Act; and if any person whatsoever shall be annoyed in passing or repassing any public road by any mongrel, cur, dog, mastiff or bulldog, it shall and may be lawful for such person to kill such mongrel, cur, dog, mastiff or bulldog, without being sued or prosecuted for so doing. 25 30 35 40

And

And be it Enacted, That it shall be lawful for any Constable or other person to seize and impound, or cause to be seized and impounded, any horse, mule, ass, bull, cow, sheep, goat, swine or beast which shall be found wandering or feeding upon any public road, the owner whereof is unknown, except in such parts of any road as lead or pass through or over any commons, or waste or uninclosed ground, or about the streets or passages of any town, and to make complaint to any Justice of the Peace; and in case the owner thereof shall not be discovered within *Four Days*, it shall be lawful for such Justices to cause such swine or beast to be sold; and out of the money arising from the sale thereof to pay a penalty not exceeding *Ten Shillings*, and expenses of impounding, keeping and selling the same, rendering the overplus, if any, to the owner, notice of such sale, in which shall be inserted the name of the parish and townland where such swine or beast was seized, being first posted up in some conspicuous place in the parish where seized, and at the place where impounded, *Forty-eight Hours* at the least before the time of sale; and that it shall be lawful for any Justice, Peace Officer, Constable, Surveyor or Road Warden, within their respective jurisdictions, to cause notice in writing to be served upon or left at the dwelling-house or usual place of abode of any person, or upon the occupier of any house or land in any of the streets or passages of any city, town corporate or market-town, who shall lay in any such street or passage any dirt, dung, turf, rubbish, stones, bricks, timber, sand, clay, lime or other nuisance, or shall leave any dead beast, or skin or permit to be left or skinned the carcase of any beast, or shall erect or suffer to be erected any may-pole, may-bush or sign-post, or shall dig or leave open any pit or hole, or suffer any such to be dug or left open, or shall keep any mongrel, cur, dog, mastiff or bulldog without being muzzled, or having a block of wood of sufficient weight fastened to the neck of such dog, to remove or abate such nuisance; and if such person shall neglect to remove or abate any such nuisance for *Forty-eight Hours* after such notice shall have been served or left as aforesaid, it shall be lawful for such Justice, Officer, Constable or Surveyor or Road Warden as aforesaid to remove such nuisance, and apply the same to his own use, and to fill up such pit or hole; and every person who shall be convicted of such neglect, on the oath of One credible Witness, before any Justice of the Peace of the county or Chief Magistrate of the town where the offence shall be committed, shall for every such offence forfeit and pay a sum not exceeding *Twenty Shillings*, to be applied in aid of the Dispensary of the district, or such other charitable purpose as the Justice shall direct.

148.
Cattle found straying on road may be impounded where Owner is unknown, and nuisance may be abated.

Provided always, and be it Enacted, That nothing hereinbefore contained shall render any District Surveyor or any Contractor for any public work under this Act liable to any penalty for any act done or performed

149.
Contractor, &c. not liable to penalty, except as herein.

performed by the said Surveyor, or in the discharge of the duties of his office, or by any such Contractor in the due and necessary execution or performance of his contract; but if any such Surveyor or Contractor shall lay or cause to be laid any heap of stones, gravel, rubbish or other matter whatever upon any public road, and allow the same to remain there at night to the danger or personal damage of any person passing thereon, all due and reasonable precaution not having been taken by the said Surveyor or Contractor to prevent any such danger or damage, such Surveyor or Contractor shall forfeit for every such offence any sum not exceeding Forty Shillings.

150.
Surveyors
may require
Occupiers to
prune trees;
in default
may summon
before
Justices.

And be it Enacted, That if any District Surveyor or Contractor for the repairing of any public road in the said county shall think that any obstruction is caused in any public road by any trees, so as to occasion danger to the public, it shall be lawful for such Surveyor or Contractor, and they are hereby, each or either of them, authorized to require the owner of the land on which such trees are growing to cause such trees to be pruned or lopped, so as that such road may not be prejudiced or obstructed by the same; and if such owner shall not comply with such request within Ten Days, it shall and may be lawful for such Surveyor or Contractor, and they are hereby respectively authorized and required to summon such owner before the Justices assembled at any Petty Sessions for such county, to show cause why he has not complied with such request; and if such Justices shall order and direct that such trees shall be pruned or lopped, and if the said owner shall not obey such order within Ten Days after the making of the same, it shall and may be lawful for such Surveyor or Contractor to prune or lop such trees, and to remove such obstruction as aforesaid to the best of their skill and judgment; and the said Surveyor or Contractor shall be reimbursed by the said owner what charges and expenses he shall be at in pruning or lopping such trees; and it shall be lawful for such Justices at Petty Sessions as aforesaid to direct such charges and expenses to be levied by distress and sale of the goods and chattels of such owner, in such manner as other distresses and sales for forfeitures are authorized and directed to be levied by virtue of this Act.

151.
Penalty on
persons ob-
structing
Surveyors or
Contractors,
or injuring
County
works.

And be it Enacted, That if any person shall wilfully prevent, assault, or threaten to assault any Surveyor or Contractor in the execution of his duty, or any person or persons employed by proper authority in surveying or measuring or laying out any line intended for a new road, or if any person shall wilfully destroy, pull up, deface or injure any Surveyor's instruments or implements used in public works, or any milestone, mile-post or direction-post, or any bridge, battlement, wall, railing, mound or fence erected or repaired by presentment, or shall wilfully break, deface, pull down or take away stones out of any such battlement, wall, mound or fence, or out of any court-house, gaol,

gnol, house of correction, pier or other buildings, or out of any bridge, pipe, arch or gullett, built or repaired by presentment, every person so offending shall forfeit and pay for every such offence, upon conviction, by the oath of One credible Witness, before any Two Justices of the Peace at Petty Sessions, such sum, not exceeding *Ten Pounds*, as the said Justices shall think fit; and in case the same shall not be paid, such Justices are hereby empowered and required to commit such offender to any gnol, bridewell or house of correction, for any time not exceeding *Three Months*, or until the said forfeiture shall be paid; and it shall be lawful for the Secretary of the county, if directed by the Grand Jury so to do, to commence and prosecute an action on the case against any person or persons by whom such injury may have been committed, and for recovering of damages to the amount thereof from such person or persons for the use of the county; and when the damages sought to be recovered do not exceed *Thirty Pounds*, to sue for the same by civil bill before the Chairman of Kilmalaham; and in every such proceeding the property so injured or destroyed shall, for the purpose of such proceeding, be deemed to be the property of such Secretary.

And be it Enacted, That no person shall inclose any part of any road or waste belonging to any road within the said county of Dublin, by adding the same to his, her or their field or ground, without the consent of the Grand Jury at some presenting term; nor shall build any house or wall, except where a house or wall now stands, within *Sixteen Feet* of the centre of any road within the said county of Dublin, except the same lies within a market town; nor shall build any limekiln, nor erect any windmill within *Twenty Yards* of any public road; and if any house, wall, limekiln or windmill shall be so built contrary to this Act, it shall be lawful for any Grand Jury as aforesaid, or Justices at the Sessions of the Peace, to direct any house or limekiln built contrary to this Act, or now building contrary to any other of the Acts hereby repealed, to be pulled down, and to issue their orders to any Constable or Constables for that purpose, which every Chief and other Constable shall aid and assist in executing.

And be it Enacted, That every Chief, Head-Constable and other Constable in each and every barony shall, and he is hereby required to report all such nuisances as shall occur within his barony, to the next residing Magistrate, who shall punish, by fine or otherwise, every person so informed against by the said Constable, according to the powers vested in such Magistrate by this or any other Act or Acts.

^{152.}
No waste ground adjoining road shall be inclosed without consent of Grand Jury; nor house built within Sixteen Feet of centre of road.

^{153.}
Constables, &c. shall report nuisances.

154.
No Stamp-
duty upon
contracts and
recognizances
under this
Act. Pro-
ceedings for
breach of
contract.

And be it Enacted, That no contract for any public work under the provisions of this Act, or any recognizance to be entered into for the execution of the same by virtue of this Act, shall be liable or subject to any stamp-duty imposed by any Act or Acts passed or to be passed, unless specially mentioned therein; and whenever the amount of any such contract or the sum for which any such recognizance shall be conditioned, or the sum sought to be recovered by virtue of such recognizance or contract, shall not exceed the sum of One hundred Pounds, it shall be lawful to proceed against any such Contractor or his sureties, for such sum, or for damages for the breach of any such contract, by civil bill, before the Chairman of Kilmainham; and the said Chairman shall have full power to hold plea thereof, and the same shall and may be proceeded on in like manner in all respects, and the like decree or judgment and execution shall and may be had thereon, and also the like benefit of appeal, and of proceedings, judgment and execution thereon, as in case of any other sum or demand which may now by law be had or used before such Chairman.

155.
Forfeitures
to be levied
by distress
and sale;
application of.

And be it Enacted, That all fines and forfeitures inflicted by virtue of this Act, if not immediately paid, shall be levied by distress and sale of the offender's goods, by warrant under the hand and seal of a Justice of the Peace, together with all expenses attending the levying the same; and all such fines, unless otherwise specially directed by this Act, shall, when levied and paid, be given One-half to the informer, when the Justice convicting shall so direct, and the other half, or the whole, if not awarded to the informant, to such Dispensary, Hospital or Infirmary, as the Justice shall direct; and in case any fine be not immediately paid upon conviction, or within such time as the Justice shall appoint, it shall be lawful for the Justice of the Peace before whom such conviction shall have been made to commit the offender to gaol for any time not exceeding Two Months, or until the fine be paid.

156.
The party
distraining
not to be a
trespasser in
consequence
of any
irregularity.

And be it Enacted, That when any Distress shall be made for any sum or sums of money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers, on account of any default or want of form in any proceedings relating thereto; nor shall the party or parties distraining be deemed a trespasser or trespassers, ab initio, on account of any subsequent irregularity on the part of the party or parties distraining; but the person or persons aggrieved by such irregularity may recover full satisfaction for the special damages in any action on the case.

And

And be it Enacted, That if any person shall be sued, molested or troubled, for putting into execution any of the powers contained in this Act, or for doing any act, matter or thing pursuant thereto, such person shall and may plead the General Issue, and give the special matter in evidence, and may avow the taking of any Distress on the acting Finance Committee, and Justice's warrant merely, without going into other title or authority; and if the plaintiff or plaintiffs shall be nonsuited, and judgment given against him, her or them, upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismiss upon a civil bill, such defendant or defendants shall have his, her or their Treble Costs, to be recovered by such method and manner whereby law costs are given to defendants; and no inhabitant, magistrate or cess-payer of the county shall be deemed to be an incompetent witness in any court of law or equity, by reason of his being liable to be rated, or being rated or assessed, towards the payment of any money presented or to be presented by a Grand Jury.

157.
General Issue
may be
pleaded.

And be it Enacted, That it shall not be lawful for any Justice of the Peace, or any other person, to demand or take any sum of money, or any reward for swearing any affidavit to be made by virtue of this Act; and if any person shall wilfully swear or affirm, or declare falsely in any oath or affirmation, or declaration made or taken by authority, or under any of the provisions of this Act, every such person being thereof convicted shall be adjudged guilty of wilful and corrupt Perjury, and incur the pains and penalties in such case by law provided; and it shall and may be lawful for any Grand Jury, without any previous application to Presentment Sessions, to make such presentments for defraying the prosecution of such delinquent as to them may seem fitting and expedient.

158.
Justices not
to take
money for
affidavits.

And be it Enacted, That the several sums of money in this Act mentioned shall be deemed to be the present lawful money of Great Britain and Ireland; and the Schedules annexed to this Act shall be deemed and taken to be part thereof, and the Forms therein contained shall be made use of in all cases to which such Forms shall be applicable: Provided always, That it shall and may be lawful to erase or alter any words in such Forms, so as to make them applicable to any particular case, without materially altering the substance, but no further; and that no notice, recognizance, warrant, traverse, presentment, or other proceeding or matter whatsoever, served, made, taken or had under this Act, shall be impeached on any technical or formal grounds, or for any informality, provided it shall be in substance conformable to the provisions of this Act.

159.
Money to be
in present
currency.
Schedules
part of Act.

Notices not to
be impeached
on technical
grounds.

AND for the more easy and speedy conviction of offenders against this Act; BE it Enacted, That any Justice or Justices of the Peace

160.
Form of
Conviction.

before

And be it Enacted, That in the construction of this Act the words "Lord Lieutenant of Ireland" shall extend to and include any Lords Justices or other Chief Governor or Governors of Ireland for the time being; and the words "County of Dublin, and any barony thereof," shall be construed with reference to and as the boundaries thereof are defined in an Act passed in the fifth and sixth year of Her Majesty's reign, intituled, "An Act to alter the Number and define the Boundaries of the several Baronies in the County of Dublin;" and every half-barony shall be considered and deemed a barony; and the word "Deer-park" or "Hoose" to include and be construed to mean a court-yard, garden or orchard; and the words "stipendiary Magistrate" shall include a Justice or Magistrate of Police; and the word "Petty Sessions" shall be deemed or taken to include a Police Divisional Office; and every word importing the singular number shall extend and be applied to several persons, animals or things, as well as to one person, animal or thing; and every word importing the masculine gender shall extend and be applied to a female as well as to a male, unless the contrary thereof shall be expressed, or that any such construction as aforesaid shall be inconsistent with or repugnant to the context.

162.
Interpreta-
tion Clause.

And be it Enacted, That this Act shall commence and take effect from and after the

163.
Commence-
ment of Act

except where any other commencement is specially directed: Provided always, That all presentments and contracts made, or money to be levied, accounted for, or paid under or in consequence of any Act or Acts in force in Ireland before the commencement of this Act, shall be levied, accounted for and paid in manner provided by the said former Act or Acts, and subject to the rules, regulations and provisions therein contained: Provided also, That nothing herein contained shall be construed to affect, alter or abridge the powers, duties and liabilities of any Overseer, Contractor or other person vested in or exercised by him or them under the provisions of the said former Act or Acts, as far as respects the completion of any work or works so presented and began and entered upon at any time before the commencement of this Act.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

164.
Act may be
amended.

SCHEDULES

TO WHICH THE FOREGOING ACT REFERS.

CONTENTS.

No. 1.	Declaration of Justices.
No. 2.	Declaration of Associated Cess-payers.
No. 3.	Forms of Application for New Road.
No. 4.	_____ for gravelling or Repairs of Road.
No. 5.	_____ for widening Roads.
No. 6.	_____ for making or Repairing Footpaths.
No. 7.	_____ for filling Grips and making Fences.
No. 8.	_____ for filling Holes.
No. 9.	_____ for lowering Hills and filling Hollows.
No. 10.	_____ for erecting, enlarging or repairing Buildings.
No. 11.	Notice of Application for Payment by Constructors, &c.
No. 12.	_____ for Payment in cases of Annual Contract.
No. 13.	Forms of Recognizance for Execution of Contract.
No. 14.	General Form of Presentment for County Works.
No. 15.	Salaries of County Officers.

SCHEDULE, No. 1.

DECLARATION OF JUSTICES.

I, A. B., of [here insert the name and place of abode of the Justice taking this Declaration], do declare, That I am a Justice of the Peace of the county of Dublin, and that I will truly, faithfully and impartially do and perform all such acts, matters and things as I am authorized to do and perform by and under the provisions of an Act passed in the _____ year of the reign of Her Majesty Queen Victoria, intituled, [here set out the title of this Act]; and that I will, without favour, affection, hatred or malice, or ill-will, diligently inquire into, and impartially and honestly judge and determine according to the evidence, and to the best of my judgment and ability, upon the several applications and other matters which may be brought before me under the authority of the said Act. Witness my hand.

SCHEDULE,

SCHEDULE, No. 2.

DECLARATION OF ASSOCIATED CESS-PAYERS.

I, A. B., of [here insert the name and place of abode of the Cess-payer taking this Declaration], do declare, That I will truly, faithfully and impartially do and perform all such acts, matters and things as I am authorized to do and perform by and under the provisions of an Act passed in the _____ year of the reign of Her Majesty Queen Victoria, intituled, [here set out the title of this Act]; and that I will without favour, affection, hatred or malice, or ill-will, diligently inquire into, and impartially and honestly judge and determine according to the evidence, and to the best of my judgment and ability, upon the several applications and other matters which may be brought before me under the authority of the said Act. Witness my hand.

SCHEDULE, No. 3.

FORM OF APPLICATION FOR MAKING A NEW LINE OF ROAD.

County of } We, of _____ and _____ of _____ do
 } certify, That in our opinion it would be useful to make a new Line of Road
 from _____ to _____ between _____ and _____
 and that such new Line of Road is _____ perches in length, and that said
 perches are in the townland [or, townlands] of _____ in the barony [or,
 baronies] of _____ in this county; and we propose that presentment for such
 purpose be made under and by virtue of _____ section of the _____ chapter
 of [here set out the reign], being an Act for [here set out the title of this Act]; and that
 the expense of the same shall not exceed _____ Pounds, and shall be defrayed
 by the county at large [or, barony, or, half-barony, or, baronies of _____].

(signed) A. B.
 C. D.

SCHEDULE, No. 4.

FORM OF APPLICATION FOR THE REPAIRS OF ROADS.

County of } We, of _____ and _____ of _____ do
 } certify, That we have lately viewed and measured _____ perches
 of the road from _____ to _____ between _____ and _____
 and that the said _____ perches are in the townland, [or,
 townlands] of _____ between the houses and lands of A. and B., all in the
 barony of _____ in this county; and that the same are in need of repair; and
 that we propose that the expense of the aforesaid repairs shall not exceed
 _____ Pounds, and shall be defrayed by the county at large [or, barony, or, half-barony, of
 _____], and that presentment for such purpose may be made under and by
 virtue of the _____ section of the _____ chapter of [here set out the reign],
 being an Act for [here set out the title of this Act].

(signed) A. B.
 C. D.

SCHEDULE, No. 5.

FORM OF APPLICATION FOR WIDENING ROADS, AND MAKING FENCES INSTEAD OF
THOSE TO BE TAKEN AWAY.

County of } We, of and of
do certify, That we have lately viewed and measured parcels of
the road from to between and
in the townland [or, townlands] of all in the
barony [or, half-baronies] of in this county; and that every of the same
is feet wide, and no more, in the clear within the fences; and we are of
opinion that it would be useful to the public using such a road to widen the same, so as
to make that part of the road feet wide in the clear, and safe and level
throughout the whole of the said width, and to make new fences instead of those which
shall be taken down or destroyed in order to widen the same; and we propose that the
expense of widening and repairing the same shall not exceed Pounds, and
shall be defrayed by the county at large [or, barony, or, half-barony, of]
and that presentment for such purpose may be made under and by virtue of the
section of the chapter of [here set out the reign], being an Act for [here set out
the title of this Act].

(signed) A. B.
C. D.

SCHEDULE, No. 6.

FORM OF APPLICATION FOR MAKING OR REPAIRING FOOTPATHS.

County of } We, of and of
do certify, That in our opinion it is necessary to make, [or, repair]
parcels of Footpath on the road from to between
and all in the barony of in this
county; and we propose that the expense of the aforesaid work shall not exceed
Pounds, and shall be defrayed by the county at large [or, barony, or, half-barony, of
] and that presentment for such purpose may be made under and by
virtue of the section of the chapter of [here set out the reign], being an
Act for [here set out the title of this Act].

(signed) A. B.
C. D.

SCHEDULE, No. 7.

FORM OF APPLICATION FOR PRESENTMENTS TO FILL GRIPS OR TRENCHES ON THE SIDES
OF THE ROAD, AND MAKING SUFFICIENT FENCES INSTEAD THEREOF.

County of } We, of and of
do certify, That we have measured parcels of the road from
to between and all in the
barony of in this county, where there are parcels of
immediately adjoining the said road, of the average breadth of and
depth of which are open and dangerous for passengers and travellers; and

and that it is necessary for the safety and security of the public frequenting such road to fill up the same, and to make a sufficient fence instead thereof; and we propose that the expense of the aforesaid work shall not exceed _____ Pounds, and shall be defrayed by the county at large [or, barony, or, half-barony, of _____], and that presentment for such purpose may be made under and by virtue of the section of the _____ chapter of [here set out the reign], being an Act for [here set out the title of this Act.]

(signed) A. B.
C. D.

SCHEDULE, No. 8.

FORM OF APPLICATION FOR FILLING DIKES OR HOLES ON THE SIDES OF ROADS.

County of _____ We, _____ of _____ and _____ of _____ do hereby certify, That it is necessary for the security of travellers to fill up the dikes [or, holes] immediately adjoining _____ perches of the road from _____ to _____ between _____ and _____ all in the barony of _____ in this county; and we propose that the expense of the said work shall not exceed _____ Pounds, and shall be defrayed by the county at large [or, the barony, or, half-barony of _____]; and that presentment for such purpose may be made under and by virtue of the _____ section of the _____ chapter of [here set out the reign], being an Act for [here set out the title of this Act.]

(signed) A. B.
C. D.

SCHEDULE, No. 9.

FORM OF APPLICATION FOR LOWERING A HILL, OR FILLING A HOLLOW, OR BOTH, &c.

County of _____ We, _____ of _____ and _____ of _____ do certify, That we have lately viewed _____ perches of a road in the townland of _____ barony of _____ in this county; and we are of opinion that it would be useful [here insert the work proposed]; and we propose that the expense of the aforesaid work shall not exceed _____ Pounds, and shall be defrayed by the county at large [or, barony, or, half-barony, of _____] and that presentment for such purpose may be made under and by virtue of the _____ section of the _____ chapter of [here set out the reign], being an Act for [here set out the title of this Act.]

(signed) A. B.
C. D.

SCHEDULE, No. 10.

FORM OF APPLICATION FOR ERECTING, ENLARGING OR REPAIRING ANY BUILDING WHATSOEVER.

County of _____ We, _____ of _____ and _____ of _____ do certify, That we have lately viewed and examined _____ and that it will be useful to [here set out the work] at _____ in this county; and we propose that the expense of the aforesaid work shall not exceed _____ Pounds, and

and shall be defrayed by the county at large [or, barony, or, half-barony, of
]; and that presentment for such purpose may be made under and by virtue of the
 section of the chapter of [here set out the reign], being an
 Act for [here set out the title of this Act]

(signed) A. B.
 C. D.

SCHEDULE, No. 11.

FORM OF APPLICATION FOR PAYMENT BY A CONTRACTOR FOR A PUBLIC WORK.

County of } WHEREAS the sum of was, by virtue of the
 } section of the chapter of [here set out the reign], being an
 Act for [here set out the title of this Act], presented at Term in the year
 for [here set out the work contracted for], in the barony of
 in this county: And whereas I contracted for the work aforesaid: Now this is to certify,
 that I have faithfully and honestly executed the said work in conformity to the present-
 ment for the same, and to the terms of the specification, and that every part of the said
 work was finished on the day of and I hereby apply
 for the payment of the said sum of

(signed) A. B., Contractor.

SCHEDULE, No. 12.

FORM OF APPLICATION FOR PAYMENT BY A CONTRACTOR FOR WORKS OF MAINTENANCE.

County of } WHEREAS, at the Term, in the year by
 } virtue of the section of the chapter of [here
 set out the reign], being an Act for [here set out the title of this Act]
 perches of the road from to between and
 in the barony of in this county, were presented to be kept in repair
 for years, by contract, at the yearly sum of : And whereas
 I contracted for the same: Now this is to certify, that the said perches,
 and every part thereof, have been kept in good and sufficient repair and condition since
 the commencement of my contract, in conformity with the presentment and specifi-
 cation; and that the said perches, and every part thereof, are now in
 good and complete repair and condition, and that the said perches are
 free from nuisances; and I hereby apply for payment of the sum of
 for keeping the said perches in repair for months.

(signed) A. B.
 C. D.

SCHEDULE

SCHEDULE, No. 13.

FORM OF RECOGNIZANCE FOR EXECUTION OF CONTRACT.

BE it Remembered, That on the _____ day of _____ in the year _____ A. B., of _____ in the county of _____ and E. F., of _____ in the county of _____ came before me [one of the Justices, or, Chairman, as the case may be], at a Presenting Sessions, held at _____ in the county of _____ and acknowledged themselves to be held and firmly bound to our Sovereign Lady the Queen, Her heirs and successors, in the sum of _____ Pounds, to which payment they bind themselves, their heirs, executors and administrators, and their estates jointly and severally:—Whereas the above-bounded A. B. has become Contractor for the execution of a certain public work, that is to say, [mention it], and the said C. D. and E. F. have become his Sureties for the due execution of such work: Now the condition of the foregoing Recognizance is, that if the said A. B. shall within the time mentioned in such contract well and truly execute such work in the manner required and agreed on by such contract, then the foregoing Recognizance to be void, otherwise to remain in full force and effect.

SCHEDULE, No. 14.

GENERAL FORM OF PRESENTMENT FOR COUNTY WORKS.

County of Dublin, } We present, to be raised off the county at large, [or, off the barony
To wit. } of _____ or, the baronies of _____ and as
the case may be,] a sum not exceeding _____ Pounds, to be
expended in [here insert the object of the presentment, and the nature of the work, as
particularly as shall seem necessary], according to the plan, specification and estimate
laid before us and the Court, and approved of.

SCHEDULE, No. 15.

SALARIES TO BE PAID TO THE COUNTY OFFICERS IN THE COUNTY OF DUBLIN.

COUNTY OF DUBLIN.										£.	s.	d.
Clerks of the Peace	-	-	-	-	-	-	-	-	-			
Clerk of the Crown	-	-	-	-	-	-	-	-	-			
Secretary	-	-	-	-	-	-	-	-	-			
Sheriff	-	-	-	-	-	-	-	-	-			
Clarer of Kilmansham	-	-	-	-	-	-	-	-	-			
Clarer at Kilmansham	-	-	-	-	-	-	-	-	-			
Clarer at the Queen's Bench	-	-	-	-	-	-	-	-	-			
Clarer in the Commission Court	-	-	-	-	-	-	-	-	-			
Court Keeper in Queen's Bench	-	-	-	-	-	-	-	-	-			
Court Keeper in Green-street	-	-	-	-	-	-	-	-	-			

Grand Jury Presentments (Dublin).

(Ireland.)

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B I L L

To consolidate and amend the Laws for the
Regulation of Grand Jury Presentments
in the County of Dublin.

*(Prepared and brought in by
Lord Elliot, Mr. James Hamilton, and
Mr. Edward Taylor.)*

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